

BEFORE THE
CALIFORNIA BUREAU OF STATE AUDITS (BSA)

In the matter of

Citizens Redistricting Commission (CRC)
Applicant Review Panel (ARP) Public Meeting

555 Capitol Mall, 4th Floor
Sacramento, CA 95814

MONDAY, August 16, 2010
1:00 P.M.

Reported by:
Peter Petty

APPEARANCES

Members Present

Nasir Ahmadi, Chair

Mary Camacho, Vice Chair

Kerri Spano, Panel Member

Staff Present

Donna Neville, Panel Counsel

Diane Hamel, Executive Secretary

Candidates

Christine Ann Allcorn

Davin Williams McAndrews

Paul L. McKaskle

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P R O C E E D I N G S

AUGUST 16, 2010 1:00 P.M.

MS. NEVILLE: It is 1:00 and we are back on the record with Ms. Christine Allcorn. Welcome.

MS. ALLCORN: Thank you.

MS. NEVILLE: We are going to begin with our five standard questions. What specific skills do you believe a good Commissioner should possess? Of those skills, which do you possess? Which do you not possess, and how would you compensate for that? And is there anything in your life that would prohibit you from performing the duties of a Commissioner?

MS. ALLCORN: Thank you. I believe that a good Commissioner needs the ability to listen to a wide variety of opinions and views, to analyze complex information, and an ability to speak clearly to a group of people, a curiosity to seek out information not immediately presented, and an ability to be flexible. The Commission will be conducting public hearings and meetings throughout the State, and the ability to really listen to what people are saying and respond will be critical to the success of this body. I also understand the Commission will have the opportunity to hire talented experts in the field of demographics, Census data, mapping, statistics, and the voting laws. And it is imperative that a Commissioner be

1 able to understand the data being presented and not be
2 intimidated to ask questions or clarifications on points
3 not understood. I work with school finance, which is a
4 notoriously confusing and complicated beast of a system,
5 and I'm not an expert in school finance, but when I don't
6 understand something, I'm certainly not intimidated by our
7 very very smart staff to ask them a question and say, "I
8 don't understand this, and can you explain it to me
9 again?" I also think that the ability to be flexible is
10 vital for the Commissioners. We are bringing together 14
11 strangers from all different walks of life and
12 backgrounds, and things are going to happen, meetings are
13 going to be changed, things in life are going to come up,
14 and so I think the ability to be flexible and to be able
15 to change with some of the expected things is going to be
16 very very important. I do believe that I possess all
17 these characteristics. I have successfully demonstrated
18 these abilities through my different jobs and volunteer
19 activities. I currently serve on a school board in
20 Fountain Valley, and these are the things that are vital
21 to a strong and successful school board member, the
22 ability to listen, and to really hear, the ability to
23 communicate, to analyze data, and I think that I have
24 demonstrated all those characteristics. The last part of
25 the question, is there anything that would impair my

1 ability to perform these duties? I don't believe there
2 is. I am very motivated and I am very interested in being
3 part of this process, and I am confident that I would be
4 able to perform all of the duties required of a
5 Commissioner.

6 MS. NEVILLE: Describe a circumstance from your
7 personal experience where you had to work with others to
8 resolve a conflict or difference of opinion. Please
9 describe the issue and explain your role in addressing and
10 resolving the conflict, and if you are selected to serve
11 on the Citizens Redistricting Commission, tell us how you
12 would resolve conflicts that may arise among the
13 Commissioners.

14 MS. ALLCORN: Shortly after I was elected for the
15 school board, we began the sale of our closed school sites
16 and on one of our school sites, there was a little
17 preschool, a little co-op preschool that had a garden and
18 lots of parent involvement, and they were going to lose
19 their home. And the parents came to our meetings and
20 pleaded, "Please don't displace us," and we didn't know
21 quite what to do because the mission, the goal of the
22 District was to sell these properties. So, as it turns
23 out, I had happened to be investigating that pre-school as
24 a place for my youngest son, and I had developed a bit of
25 a relationship with the Director, I had met with her

1 several times, and she came to me and she asked, you know,
2 "Is there anywhere else you can put us?" And so, we
3 investigated, we found a portable building on one of our
4 campuses that was kind of being used for some activities,
5 but not really, the school didn't want to give it up, but
6 here was this community group that needed a place. And so
7 we brought everybody together, we brought in the staff, we
8 brought in the school staff, and we came up with a plan.
9 At the next Board meeting, the school staff was not very
10 happy about it, some parents in the area weren't terribly
11 happy about it, and we were able to bring everybody
12 together and to mitigate those problems and complaints,
13 and the school was able to move in and find the new home,
14 the staff at the school was able to relocate those
15 activities that had previously been held in the portable
16 building, and everybody seemed to be happy. So, we solved
17 that problem, we found a little place for the preschool
18 and the school wasn't disrupted. The other question about
19 conflicts among Commissioners, I spent many years working
20 for the YMCA as a volunteer, a camp director, professional
21 staff member, training staff leading childcare programs.
22 And during those years, I learned a lot about group
23 building, team building, and conflict resolution, and I
24 feel that those skills that I acquired during that time
25 have served me well as a parent volunteer working with PTA

1 moms, and in my school board experience, and I believe
2 that I could bring that to the Commission. I think when
3 conflicts arise, quite often, it's due to the fact that
4 people don't feel that they're being heard, and so it's
5 important that the group take a step back and make sure
6 that whoever is upset is being heard, and that their
7 message is being clear, and that they're communicating
8 well. I think that the important aspect that the
9 Commission will need to really focus on is establishing
10 norms, what's acceptable, you know, if we say we're
11 starting at 8:00, then we start at 8:00, and what are
12 those norms that are to be acceptable to the group and for
13 the staff. And I also like to use humor. I think that
14 alleviates tension, it served me well in my classroom, it
15 has been good in my old class - I currently am not
16 teaching - but, in the past when I was teaching. And I
17 just think it helps a lot.

18 MS. NEVILLE: How will the Commission's work
19 impact the State? Which of these impacts will improve the
20 State the most? And is there any potential for the
21 Commission's work to harm the state? And if so, how?

22 MS. ALLCORN: I believe the Commission's work will
23 have a positive effect on the State and, what is
24 interesting is that I was waiting for the beginning of the
25 interview, I glanced over and I read some of the letters

1 that had come in from different groups, and there's a real
2 suspicion about the integrity of the process, which I
3 think has been terrific, I know that you guys have really
4 done your due diligence, to make sure that everybody is,
5 you know, all those conflicts of interest and things, but
6 there are questions because our legislature isn't working
7 very well right now. We're 43 days late on a budget,
8 that's their job, they need to pass a budget by June 30th,
9 and so I think that there's a great disappointment in the
10 public and a concern about what's happening up here, and I
11 think that, by redistricting, we will have the opportunity
12 to provide that integrity, and to provide that
13 authenticity in the voting process. I was here last month
14 with my kids and we toured the Capitol, and I called our
15 local legislator, and so we had a private tour, the kids
16 thought that was really neat, and we were waiting and the
17 Legislator wasn't there, but the staff member was there.
18 So, we were talking and this Legislator is going to be
19 termed out, and I said, "Well, what are you going to do?"
20 And she said, "Oh, I'm sure I'll find something." And she
21 said, "You know, when you take a job in the Capitol, you
22 have an expiration date stamped on your head, so I knew
23 when I took this job with this Assembly member, I had six
24 years." And I thought that was interesting because a term
25 is only two years, and so that automatic assumption that,

1 once a Legislator is elected, that they will have the full
2 length of that term, those term limits, the three years
3 for Assembly, I found that interesting. I found that
4 concerning that there's not that sense of real
5 accountability in answering to your constituents about the
6 important things that need to be done in your District.
7 And I just thought that comment was very interesting. I
8 also think that involving more people in the Democratic
9 process is important, and to have the opportunity to be
10 part of that is a great honor. As a history teacher, I
11 always emphasized to my students that the most important
12 thing you can do as an American is to vote, that people
13 died for that right, and the fact that people don't do
14 that in the United States, they don't have to, we don't
15 force them, but that they don't because they don't feel
16 part of that process, is sad. And if I am part of a
17 process that can bring more integrity, more authenticity,
18 to the voting process, to this Democratic system that we
19 have, and is so important, I would be very honored. As
20 for potential harm, if the Commission is not mindful of
21 the Voting Right Acts - Rights Act - and doesn't listen to
22 the advice of the staff and legal counsel, we could get
23 ourselves into a lot of trouble, if we don't follow the
24 law and follow those things that are explained in
25 Proposition 11. And so, I think it will be incumbent upon

1 the Commissioners to listen very carefully to Legal and to
2 staff and to make the decisions that stay within the law,
3 and that they don't bring their own agenda into the
4 process, that we do what is proscribed by the law, and not
5 what we feel should be done. And I think that that's my
6 answer.

7 MS. NEVILLE: Describe a situation where you had
8 to work as part of a group to achieve a common goal. Tell
9 us about the goal. Describe your role within the group,
10 and tell us how the group worked or did not work
11 collaboratively to achieve this goal. If you're selected
12 to serve on the Citizens Redistricting Commission, tell us
13 what you would do to foster collaboration among your
14 fellow Commissioners.

15 MS. ALLCORN: Well, as a school board member, each
16 year we are legally obligated to adopt a budget, whether
17 or not the state has adopted a budget, by June 30th. And
18 because of the current financial situation of the State,
19 the past three years have involved making cuts, and cuts
20 are people, cuts are programs, and cuts are painful, but
21 we have to do it. And this year, we had \$2 million that
22 we had to cut out of our \$40 million budget, and to do
23 that, our goal was to create a balanced budget. And to do
24 that, we relied on staff to present us information:
25 where, if anyplace, can we make these cuts without

1 affecting the classroom too greatly? And we set up
2 meetings with our staff members so that they could provide
3 input, our teachers, our classified staff, we set up
4 community meetings where we were able to hear from the
5 community, and we also established a Website where people
6 could contribute and add comments to the existing lists
7 that we were proposing, as well as suggest new things.
8 So, we had a variety of input, a lot of information, and
9 we worked through the process, we came back together, we
10 had study sessions, some of our members didn't agree with
11 some of the things that the staff was recommending, we
12 discussed it and talked about it, and we ultimately came
13 to a decision that included some of the things that were
14 originally proposed, some of the things that came from the
15 community, some things from staff, and we really
16 collaborated and put this together. My role as a Board
17 member was, I have kids in school, so I'm on school
18 campus, and I was able to talk to parents who may or may
19 not otherwise be able to come to a public meeting; just
20 because we have a meeting doesn't mean everybody can come
21 and share information. And so, being out in the
22 community, I was able to get more information. I was
23 also, as part of this group, I did my homework, I read the
24 information, I checked on the website, I attended the
25 meetings, so that I knew first-hand what I was hearing,

1 and the information that I was receiving, I wasn't just
2 relying on interpretation from staff, although that was
3 very very important, but it is nice to go and hear the
4 speaker actually presenting information as opposed to a
5 two-sentence synopsis coming from a staff member who was
6 there and another person. I am very fortunate to be part
7 of a board that works very well together. And we agree to
8 disagree respectfully, we work together, we're mindful of
9 the mission of the school District and what our goals are,
10 and when you have a group that is focused in that way, it
11 makes work easier. Those difficult tasks are easier
12 because we're supporting each other. And as part of my
13 school board training, I was able to complete the Masters
14 in Governance Program, and so I was - I've been trained on
15 governance and community relations, going out and talking
16 to people, having meetings, what to do when you get that
17 angry phone call, or the angry letter, group work and
18 problem solving. And I think that my goal, or my role, as
19 a member of the Commission, I can bring that, I can bring
20 that knowledge, and I can bring that experience about
21 meeting deadlines and meeting goals.

22 MS. HAMEL: Five minutes.

23 MS. ALLCORN: Thank you. With our budget process,
24 we have to adopt a budget by June 30th, and so we don't
25 meet on June 19th and start talking about it, we build a

1 calendar, and I know that this Commission has a lot of
2 work to do very quickly, and so it will be imperative that
3 we build that calendar and work backwards from what our
4 date is and work backwards to make sure that we meet all
5 those deadlines and achieve those goals.

6 MS. NEVILLE: A considerable amount of the
7 Commission's work will involve meeting with people from
8 all over California who come from very different
9 backgrounds and very different perspectives. If you are
10 selected to serve on the Commission, tell us about the
11 specific skills you possess that will make you effective
12 in interacting with the public.

13 MS. ALLCORN: All of my jobs that I've held have
14 been interacting with the public. As a YMCA Program
15 Director, I was out in the public, I was working with
16 families, I was holding community events, pancake
17 breakfasts, and fundraisers, and carnivals, and things to
18 reach out into the community. As a teacher, I work with
19 the public. I had the opportunity this last year to take
20 a long term sub assignment where I was in a classroom for
21 three months, it was the lower socioeconomic,
22 predominantly Hispanic school, and I had the opportunity
23 to work with families and work with kids, and meet those
24 people. I think that, in my current place as a school
25 volunteer and as a Board member, our community is

1 predominantly Caucasian and that our significant subgroup
2 is Vietnamese, and I've had the opportunity to really get
3 to know our Vietnamese community. I have very very dear
4 dear friends, I've been a liaison in the school between
5 our traditional PTO group and our Vietnamese families who
6 put on an annual Lunar New Year program for two days in
7 our school. I jumped in. And I think that it's exciting
8 to be with different groups and to learn and to be
9 curious, and one of the other things that I'm able to do
10 is, at our temple, I work with the Women's group and we
11 have a large senior population, so I've been able to work
12 with our seniors, as well, and I think that's a
13 significant subgroup that we would need to look at as a
14 Commission when we're looking at Communities of Interest.
15 All of these experiences have added to my understanding
16 for the groups that we have in California. In college, I
17 had the opportunity to travel to Japan and work as a camp
18 counselor. And living in another country and being
19 somewhat isolated through language gave me an appreciation
20 and gave me, I think, an understanding of what our
21 immigrants sometimes experience. I was there for six
22 weeks and I was at summer camp, so I'm not trying to
23 compare summer camp to the experience of immigrants, but
24 that being the other, and being different. I think that
25 my skills that I can bring in, meeting people from

1 different backgrounds and understanding, is that I am a
2 good listener, that I am approachable, and that I also
3 have had a background in History and Geography, I
4 understand a little bit about where people are coming
5 from, my degree - my emphasis was in History. I also try
6 and stay current with the news and just pay attention to
7 what's going on in other communities, in other parts of
8 the State, and let's see, I'll look at my notes here, I
9 have a deep appreciation for different cultures,
10 religions, ages, and socioeconomic situations, and in my
11 own community, we have schools that are in higher income
12 and lower income, and I've been able to work with both,
13 and I feel that I can bring a depth of experience and
14 knowledge to the Commission that will greatly enhance our
15 skill set and ability to accomplish the task at hand.

16 MS. NEVILLE: Mr. Ahmadi, your 20 minutes.

17 CHAIR AHMADI: Thank you very much. Good
18 afternoon, Ms. Allcorn.

19 MS. ALLCORN: Hi.

20 CHAIR AHMADI: You mentioned that a few days ago,
21 you had a trip to Sacramento to have a tour of the
22 Capitol.

23 MS. ALLCORN: Yes.

24 CHAIR AHMADI: And you called your local
25 Legislator to arrange for that, kind of private tour.

1 MS. ALLCORN: I did.

2 CHAIR AHMADI: Was this your first trip to
3 Sacramento?

4 MS. ALLCORN: This, I know in my - I did get a
5 phone call regarding my trips to Sacramento. I made the
6 trip to Sacramento with the California School Board
7 Association and that was -- as a school board member, I am
8 very interested in education for all children in
9 California, and I came with a group, and we tried to meet
10 with some Legislators. I don't recall if we actually
11 spoke to any, most of the time we get staff, we came and
12 there were usually four or five of us in a group, and we
13 would go to the office and we would share our concerns
14 about issues in education, and that was usually the extent
15 of it. I did make another trip this year with the PTA,
16 the Orange County delegation of PTA members, the
17 Sacramento Safari, and we came and visited Sacramento.
18 Again, with the kind of statement from PTA that, "Please
19 pay attention to education, and please don't cut anymore."
20 I don't believe we've been very effective since we've had
21 to cut so much, but we're trying. So, I have come to
22 Sacramento before. I know that there were some questions,
23 and in my application I think I wrote "lobbying for
24 education." I'm not a paid Lobbyist. I'm not in contact
25 with any Legislators. I did call our local Assemblyman's

1 office and we have friends up here that we were meeting,
2 and it was the regular tour, we didn't have to do it with
3 anybody else, so...

4 CHAIR AHMADI: Okay, thank you.

5 MS. ALLCORN: Sure.

6 CHAIR AHMADI: Let me just clear my thoughts here,
7 one second.

8 MS. ALLCORN: Don't be nervous, it's okay.

9 CHAIR AHMADI: I'll try not to be.

10 MS. ALLCORN: Okay.

11 CHAIR AHMADI: Thanks, that helps. Could you
12 please share with us your thoughts about how does Southern
13 California or the diversity in Southern California compare
14 to that of the North? And what are some of the
15 similarities, and what are some of the differences? And
16 how would that knowledge, or that aspect of demographics
17 in the State, have an impact on your decision-making on
18 the Commission?

19 MS. ALLCORN: Well, Southern California is more
20 densely populated than Northern California. As I was
21 doing some research for the interview, I was looking at
22 the Districts and the size of the Districts, District 1 is
23 bigger than some of our other States, and then you get
24 into Southern California and there are little teeny tiny
25 funny shaped Districts. We have quite a diverse

1 population and ethnic make-up in our State, and not being
2 an expert, I would feel comfortable in saying that the
3 diversity is greater in Southern California. We have
4 pockets of ethnic communities, but that is also the case
5 in the major urban and suburban areas in Northern
6 California. I think that the areas of concern are going
7 to be centered in those densely populated areas. Southern
8 California does present some interesting challenges and
9 different issues, the number of the people, the density,
10 the ethnic make-up, it's different than Northern
11 California, and I think living and growing up in Southern
12 California, I can bring some of that - not to say Northern
13 California is not as diverse, but just, I do not think it
14 is as concentrated diversity, if that makes sense.

15 CHAIR AHMADI: It does.

16 MS. ALLCORN: Okay.

17 CHAIR AHMADI: You mentioned areas of concern.
18 Can you be specific on that, please?

19 MS. ALLCORN: Areas of concern? Oh, well, I think
20 that, you know, when I looked at the boundaries of
21 District 1 and District 2, I don't know that there's much
22 question that those Districts are gerrymandered, and those
23 are pretty straight Districts drawn along political lines,
24 is what it appeared to me. I think that the concerns that
25 prompted this Proposition 11 are those areas that are

1 funny shapes that, you know, you have one street that
2 extends into another District, for who knows what reason,
3 you know, to keep the balance of one District for one
4 particular party vs. another. I think that some of the
5 Districts we are going to be looking at, they may be just
6 fine, we need to look at them, and we need to be open to
7 the fact that District is okay, but what about this
8 District? And take that information and look at the
9 statistics and the data and see if something needs to be
10 changed. Did that answer the question?

11 CHAIR AHMADI: Yes. And I have a follow-up
12 question. You mentioned something about the shape of the
13 District, and if I heard you correctly, you said something
14 about some of the concerns that you as a citizen of the
15 State have when you look at the shape of the District,
16 that they are so perfectly geometric, then you probably
17 have a concern about it? Did I hear you correctly?

18 MS. ALLCORN: I think I have less concern about a
19 District that is just drawn, you know, if it is four
20 counties and it is just those straight lines, that seems
21 like somebody said, "Well, this county, these three
22 counties should be a District." When you look at the
23 maps, the District maps in more densely populated areas,
24 the San Francisco areas, San Diego, Los Angeles, Orange
25 County when you see those interesting shapes, you wonder,

1 "Who made that? Why is that line like that?" And maybe
2 the Commission, when they are looking at communities of
3 interest, will decide they did a good job, that's what it
4 should be, but at least the public will have had
5 representation, not influenced by special interests, not
6 influenced by the Legislators, who look at that
7 objectively, and say, "Yes, that's the best way to draw
8 that District." And if it is a funny star shape, or, you
9 know, the salamander shape, where we get gerrymandering
10 from, and that's what we come up with, then at least it
11 has that integrity of being done not for political
12 purposes, not for job security, but for proper
13 representation.

14 CHAIR AHMADI: In your mind, what factors
15 contribute to the shapes of the Districts? You did
16 mention gerrymandering, for example, let's put it in
17 broader perspective. There are certain laws that govern,
18 you know, the redistricting practice, and to the extent
19 that you are knowledgeable of those laws or requirements,
20 basically, if I hear you correctly, you are saying that
21 perhaps one of the first things that you would be doing is
22 to look at the shape of the Districts when you are
23 starting to -

24 MS. ALLCORN: Not necessarily, no, I think that
25 the Commission needs to look at the State, and look at the

1 information, and - and start from scratch, essentially. I
2 mean, using what we have to see what's right. I think
3 that the shapes - it's - just because it's a funny shape
4 doesn't mean it's bad, so, yeah, I mean, that is not
5 necessarily - but I think, to the public, when you see a
6 map and you see the City of Huntington Beach, but then
7 there's this one little dog leg of an area, well, why is
8 that area extending into - and I'm making up - I don't
9 know for a fact, but why is that one leg extending into
10 Westminster when it's Huntington Beach? Who made that
11 decision? And why is it drawn that way? And it could be
12 that that's the best way to do it, that that encompasses a
13 community that is a logical place to draw that line. But
14 right now, I think that there are some suspicion, some
15 doubt about why. I mean, it's clear, does the letters
16 that were in the back from different groups saying, you
17 know, "Make sure that these folks are not influenced by
18 anybody." There's a great concern about how these
19 Districts are drawn, and so, by having this independent
20 Commission with no influences, I think it provides some
21 authenticity and integrity to the process.

22 CHAIR AHMADI: Thank you. So, should you be
23 selected as a Commissioner, where would you start
24 redrawing the lines? And what factors would contribute to
25 your decisions in terms of how would you approach

1 redrawing the lines?

2 MS. ALLCORN: I would first meet with the
3 Commission and make sure that we have very smart people
4 and very good staff who can come in and tell us the best
5 way to do that. I think that we are here to listen - the
6 Commissioners - are here to listen to people, to get
7 feedback from the community, to listen to the experts, and
8 to ultimately make those decisions and be accountable to
9 the public for those decisions, but, as an individual
10 without training in the Voters Right Act, without training
11 in reading Census information, I wouldn't walk in and say,
12 "This is the way we need to do it." I think it's
13 important that we listen to what our experts are saying.

14 CHAIR AHMADI: Right, and I understand that. But
15 let me just clarify my question.

16 MS. ALLCORN: Okay.

17 CHAIR AHMADI: Should you be selected as a
18 Commissioner, what are your thoughts about where to start
19 redrawing the lines?

20 MS. ALLCORN: I think we start with what's
21 existing and we look and see if those areas make logical
22 sense, and couple that with the new Census information,
23 and the information that we receive from our public
24 meetings, and build on that. People typically don't like
25 a lot of change, change is hard, and so if the Commission

1 walks in and wipes out the Districts as we know them, and
2 just starts drawing everything brand new, and all of a
3 sudden, you know, you're in this different District, and -
4 I think that would not be very productive, and so I think
5 that we need to start with what we have, and look at what
6 improvements need to be made, and what needs to happen.

7 CHAIR AHMADI: What kind of information would
8 enable you to do that, to bring those improvements? Or,
9 what information will you use?

10 MS. ALLCORN: Input from the community and our
11 Census data, I mean, our ethnic breakdowns, our breakdown
12 by age, young families, seniors, I mean, just all of that,
13 to look at to see what those communities are. I think,
14 too, we need to respect our political boundaries and our
15 natural geographic boundaries, and look at what's logical,
16 and then take and adjust what we need to adjust after
17 we've looked at the obvious things, city lines, okay, a
18 city line is pretty - pretty obvious, but there's not -
19 I'm trying to do the math in my head - there's not a
20 million people in that city, so that District is a little
21 too small, so what are we going to do? And so that is
22 where the Commission is going to need to build out and
23 look at those Districts, and decide what do we include?
24 Where do we draw the boundaries for this particular area?

25 CHAIR AHMADI: So, let me kind of like follow-up

1 on what you said. It sounds to me like, in your view, the
2 city and county and political maps or boundaries are the
3 most important? Or what other information would you be
4 seeking in adjusting those boundaries - the District
5 boundaries?

6 MS. ALLCORN: I think cities and counties are the
7 most logical, and my schools - I'm in the Fountain Valley
8 School District, but I have schools that are in the City
9 of Huntington Beach in my school District, and there are
10 schools in Fountain Valley that are in another school
11 District, and people don't understand why. I'm not even
12 sure why, it was like that when we - you know, this
13 doesn't quite make much sense. And so I think for the
14 public, I think that cities and counties are a good place
15 to start, but let's say, like in Los Angeles, the Armenian
16 community, if that large community overlaps two cities,
17 then we need to consider that and we need to look at not
18 breaking up that community because they have interests and
19 we, as a Commission, would not want to deprive their
20 rights of representation by dividing up that community, so
21 it's important to look at all those factors. But I think
22 cities are a good place to start.

23 CHAIR AHMADI: Okay, thank you. I am going to ask
24 a hypothetical question.

25 MS. ALLCORN: Okay.

1 CHAIR AHMADI: As you mentioned, the Commission
2 would have to hire some consultants to provide certain
3 services for the Commission, which will be needed because
4 of the timeline and also the expertise. Let's say that
5 you have - you are one of the five Commissioners, or
6 within the Commission, the 14-member Commission, a smaller
7 group of five people disagree with what the Consultant has
8 provided in terms of, you know, a recommendation or
9 suggestion. How would you approach that situation and how
10 would you handle it, and how would you make a final
11 decision?

12 MS. HAMEL: Five minutes.

13 MS. ALLCORN: I think that the Commission is going
14 to need to process a lot of different information, and as
15 I read the proposition, from what I understand, there are
16 some rules about when we can vote on things that there
17 needs to be representation from each of the three groups
18 that the pool of applicants came from, and so I would hope
19 that, by the time we - after we've been into this for some
20 time, that we will have developed a working relationship
21 where, if there's a disagreement, a little bit like a
22 jury, where if there's a group that disagrees, we need to
23 go back, and we need to look at that information, and we
24 need to see if there's a compromise. If there's another
25 place we could get different - more information, not

1 different - I know that there's always interpretation with
2 data, and we can make data say what we want it to say, and
3 I think that it's going to be important for the Commission
4 to select consultants similar to the way that the
5 Commissioners have been selected, that they don't come
6 with bias, and that they don't come with a backing from a
7 particular interest group. But, if I were one of the five
8 who disagreed, you know, I think that there may be some
9 times when the majority is going to need to say, "This is
10 what we think is best," and sometimes that's the way
11 things go. There's a reason that there's a nine to five
12 majority because it's not always going to be that the
13 whole group agrees. If it's something very controversial,
14 then maybe we need to have another public meeting, or
15 maybe we need to acquire more information and go back to
16 that issue and revisit it.

17 CHAIR AHMADI: Okay, thank you very much.

18 MS. ALLCORN: Thank you.

19 CHAIR AHMADI: No more questions at this moment.

20 MS. NEVILLE: Ms. Camacho.

21 VICE CHAIR CAMACHO: Thank you. Hello, Ms.

22 Allcorn.

23 MS. ALLCORN: Hello.

24 VICE CHAIR CAMACHO: Ready?

25 MS. ALLCORN: Yes.

1 VICE CHAIR CAMACHO: Okay, great. I notice that
2 you're on a Board and that you're familiar with the Brown
3 Act.

4 MS. ALLCORN: I am.

5 VICE CHAIR CAMACHO: One question I have is, have
6 you found the Brown Act to be burdensome or inefficient in
7 running your meetings?

8 MS. ALLCORN: No.

9 VICE CHAIR CAMACHO: And why would you say that?

10 MS. ALLCORN: Well, we have all been trained on it
11 and we know the importance of having open and transparent
12 meetings. It's important for us as public officials to
13 make sure that what we do is transparent and that the
14 public not question or have concerns about what we do.
15 There are a lot of Boards that are getting into trouble
16 and, you know, the City of Bell, I mean, that's - had they
17 had open meetings, we may not be reading so much about
18 them. I think that the Brown Act is good for Boards and
19 we have to make sure that we aren't having side meetings,
20 we aren't having serial meetings, that what we do, the
21 business that we conduct, is out in the open. And I think
22 it's good. I mean, much like this Commission with the
23 public meetings, and online, and everything, it takes away
24 that suspicion that they're doing something behind closed
25 doors and that the public isn't part of that.

1 VICE CHAIR CAMACHO: Now, with information that
2 you might receive, because you're going to be out in the
3 public and you do receive information as a Board member
4 when you're at school, because they know who you are, how
5 - if you receive that information when you are out in the
6 public and you are a Commissioner, what would you do with
7 that information?

8 MS. ALLCORN: If I were out in the public and
9 received information, I think that I would - I think
10 probably the most effective thing, based on when our
11 meetings dates were, and what the rules are, if this
12 Commission decides to use, you know, videoconferencing, or
13 whatever, I think that what would be important is to keep
14 a record of information that I receive, so that when it's
15 appropriate, when we have an open meeting where I can
16 share information, that I have that, that I have dates,
17 that I have information. I think, also, if it's letters
18 or e-mails, I think it's important that Commissioners
19 respond to the public and acknowledge that somebody has
20 taken the time to write a letter, or to send a
21 communication, I think that's very important. But, as for
22 sharing with the other Commissioners, if it's - I think I
23 could share with the Chairperson because that wouldn't be
24 a serial meeting, that's sharing with one other member,
25 and the other thing is, if it's a question, depending on

1 what the norms are for the Commission, I would maybe
2 contact the staff member who might be the expert on that
3 information, to get more clarification for myself, and
4 then make note of that so I could share it with the other
5 Commissioners, so there's no surprises, or there's not a
6 sense that I'm doing work on my own over here and not
7 sharing it with the group.

8 VICE CHAIR CAMACHO: So, with this information
9 that you receive, you would share it with the
10 Commissioners, but mostly the Chair because then it would
11 not be, like you were saying, a serial meeting or
12 something like that?

13 MS. ALLCORN: Right, I mean, I know that, as I was
14 reading, it's a different Act that governs this
15 Commission, if I'm not mistaken, it's not the Brown Act,
16 but I know, with the Brown Act, if somebody approaches me,
17 I can call another Board member, I can call my Board
18 President and say, "Hey, something happened at school
19 today and I wanted to let you know," or I can call my
20 Superintendent and say, "Something happened and you should
21 know," but I can't call all the Board members. So, I
22 think when we establish what the organization of this
23 Commission would be, I think it would be appropriate to
24 share it with our Chairperson, who would be working with
25 staff to create those agendas when we meet, if there's

1 been a concern out in the community that we can bring up
2 and discuss, and at that point I would be able to share
3 the particular information that I received.

4 VICE CHAIR CAMACHO: Now, how would you share that
5 information if you received it from a person not during a
6 public meeting?

7 MS. ALLCORN: I could call, or I could share with
8 the chairperson or -

9 VICE CHAIR CAMACHO: Share with the other members
10 of the Commission.

11 MS. ALLCORN: I would need to keep a record of
12 that, and then, when we do have a public meeting, with our
13 one agenda posted meeting with the Commission because I
14 am assuming that, when we meet as a total group, that's
15 going to need to be posted and announced to the public.
16 So, I think that, to share it with my group, the whole
17 group, I would wait for our meeting unless there's another
18 system that we come up with where we have a Website where
19 we're posting issues, but as a Commissioner, I think I
20 would be governed by different rules, so if I heard
21 something in the public, I would wait until we were all
22 together.

23 VICE CHAIR CAMACHO: Okay. One of your answers to
24 one of the questions, I just want to get a little bit of
25 clarification. When you were saying that you relied on

1 staff to come up with some solutions for the budget, the
2 School Board's budget, can you clarify what you meant by
3 staff?

4 MS. ALLCORN: We have a Deputy Superintendent of
5 Business who is - who develops our budget, who watches all
6 of our financials, and his staff, so when we're looking at
7 cutting \$2 million out of a \$40 million budget, we look to
8 him and say, "Where can we do it?" And so, he was the one
9 who proposed different solutions and he gave the Board
10 choices. We could have thrown it all out and said,
11 "Forget it, we're going to, like Saddleback did, we're
12 cutting salaries 15 percent, and we won't hear anything
13 else." We didn't, we took the advice of staff. And so,
14 he developed that list from the places where he was able
15 to find any little extra, there's no extra anymore, but
16 anything that would have the least impact on the direct
17 classroom instruction.

18 VICE CHAIR CAMACHO: Okay, now, when you were going
19 through this, I wasn't sure, I know I heard that you were
20 talking to parents, that you were talking to the
21 community, was there any input from the school sites or
22 teachers themselves who - did that funnel through the
23 Superintendent? Or was that a separate -

24 MS. ALLCORN: We had a meeting immediately after
25 school so that the teachers could come right after school

1 and not have to stay until 7:00 at night, and so we had a
2 special meeting that we invited the teachers to, they were
3 also invited to all the public meetings, and the Board was
4 there at those, so that when the information was
5 presented, the Board was there to listen - not upfront, in
6 the audience, just listening - and the ideas were
7 presented, questions were asked, and suggestions were
8 made, and the Website was presented so that, if somebody
9 wasn't comfortable bringing something up because some of
10 the proposals were cutting one group's hours, and that
11 group said, "Well, don't cut my hours, cut their hours."
12 And so that is difficult to say in a public meeting with
13 that group sitting right there, and so those things were
14 submitted online. But we did, we had input from our
15 teachers and classified staff.

16 VICE CHAIR CAMACHO: Okay, great. You also talked
17 about that you worked well - that your group for the
18 School Board works really well together. How did it
19 initially get to that point because, obviously, it takes
20 time to get to that point. What were the steps that you
21 took to ensure that your group worked well together?

22 MS. ALLCORN: Well, quite honestly, we've always
23 worked really well together and, as people come on, I'm
24 very very fortunate to live in a great community, and up
25 until this point, we haven't had a lot of drama, or a lot

1 of divisive politics in our School Board elections, and I
2 hope that this year is no different. When people get
3 elected, they come from different places and they bring
4 different experiences, but we are fortunate to have
5 terrific leadership, professional leadership that keeps
6 the Board and helps everybody stay focused on what our
7 goals are. And we are a great little District, and I
8 count myself very fortunate to be part of such a congenial
9 group, that really accomplishes great things. So, I mean,
10 I have worked with groups that, you know, there is that
11 stormy period, and it's difficult - being a volunteer at
12 the school, you know, the PTA, you have people that have a
13 definite agenda and a strong personality, and I think you
14 go back to that setting goals and priorities, making sure
15 that person is heard. I have one friend, in particular,
16 she asks great questions, but sometimes she doesn't ask
17 them at the right time, and so she is perceived sometimes
18 not in the best light. And her questions are really good,
19 and if she asked them later, they would be great
20 questions. And so I think that, as a Commission, we're
21 going to need to make sure that we stay on point and that,
22 if something comes up that one of the Commissioners wants
23 to talk about, that isn't on the agenda or what we're
24 talking about at that point, that we make a note, and we
25 come back to it in new business, and that we proceed with

1 the business that we're working on.

2 VICE CHAIR CAMACHO: Okay, thank you. You might
3 have already hit on this, and I just kind of wanted to
4 make sure the training that you received, if it was for
5 the California School Board Association, is that what you
6 were talking about, that training on - what was it?

7 MS. ALLCORN: Community relations and governance
8 and finance?

9 VICE CHAIR CAMACHO: Yes.

10 MS. ALLCORN: Yes, that was through the California
11 School Board Association, so it definitely has a focus on
12 School Board leadership, but I think that it translates
13 well into the work of this Commission, as well.

14 VICE CHAIR CAMACHO: You hit on the Vietnamese
15 because they are a significant community within your
16 School District. How do you think that experience working
17 with the Vietnamese community and the majority school
18 population has helped you, or would help you as a
19 Commissioner?

20 MS. ALLCORN: It's been fantastic. One of my
21 favorite things is, when my kids come home, and when they
22 were little and they would describe a friend, and they
23 would go on and on and on about describing this friend,
24 and ethnicity never came into it, it was just their
25 friend. And I looked at that and thought, "You know,

1 there's this division in our school, the PTA is
2 predominantly - or PTO - is our mostly stay at home
3 Caucasian moms, and our Vietnamese community, because of
4 the cultural norms in that community, of not participating
5 too much in school because the teacher is held on a higher
6 place, and it would be presumptuous of that family to go
7 and question the teacher, they did not participate too
8 much on campus, and so this Lunar New Year, this festival
9 that was started, was a way by one of our very talented
10 Vietnamese teachers, to bring in that community and get
11 them on campus and get them involved. And I took cues
12 from my kiddos and thought, "You know, I'm not going to
13 fit into that pigeon-hole that I'm supposed to be in this
14 group, and so I showed up and said, "What can I do? Where
15 can I work?" And it's been fantastic. Getting to know -
16 I have very close friends, and getting to know their
17 stories, we recently went on a little moms cruise, and one
18 of our friends said, "I'm a boat person, I don't go on
19 cruises," and we said, "C'mon, you can do it," and she
20 went, and she told us her story about in the middle of the
21 night running down a beach with soldiers shooting at her,
22 and spending eight days in a boat that was built for 60
23 with 150 people in it, and living in the Philippines for a
24 year in a refugee camp. And I was talking to another
25 friend and she said, "Oh, you never heard my husband's

1 story," and he had a similar story, carrying his sister
2 through a jungle to get to the beach, to get on a boat
3 with no food or water. You know, having that
4 understanding of that group and where that population has
5 come from, I think, has made me just a better human being,
6 it's made me a better Board member. I think I would be
7 able to add that kind of understanding to the Commission.
8 People come from a variety of backgrounds, and a variety
9 of experiences, and I think that it is important that this
10 Commission have people who are sensitive to that. If they
11 haven't come from that kind of a background, then we need
12 to be involved with people who have so that we have a
13 sensitivity and an understanding. The Vietnamese
14 community, which I think our Westminster Garden Grove
15 community is one of the largest Vietnamese communities in
16 the United States, if not the largest, and we need to be
17 sensitive to that community and what their background is
18 and what their needs are. And I have a very deep love for
19 that community, so it's been a great experience.

20 VICE CHAIR CAMACHO: You talked about an event to
21 bring parents into your particular school. What has the
22 School Board done to bring the Vietnamese population into
23 the school board meetings so that they're active also?

24 MS. ALLCORN: We - our School Board meetings
25 sometimes look a lot like this meeting, and so we

1 recognize kids from each school, and so that gets parents
2 coming, and grandparents coming, so that gets them into
3 the building, which has been a huge help, and we have
4 bilingual translators and we have all of our information
5 in Vietnamese and Spanish and English so that we could
6 communicate, we have a language translator on our Website
7 so that families can access that, and we also have
8 community liaisons and, as our - the Board tries not to
9 dictate what each individual school does, but we have
10 certainly supported these Lunar New Year celebrations and
11 it started on one campus at my school, and now it's on
12 three. So, we're trying. You know, it's changing. I
13 experienced the same thing when I was working at the YMCA,
14 trying to reach out to my Hispanic community to get those
15 kids to go to camp. Well, those mamas don't want those
16 kids to go to camp, they want them home, and so that was a
17 challenge. We had to get past that. We have the same
18 experience with our fifth grade camp with our kids. Some
19 of the Hispanic families are not comfortable. Some of our
20 Muslim families are not comfortable letting the girls go
21 to camp, and so we've had to figure out, how can we
22 accommodate those families? How can we assure them that
23 it's going to be okay? And that's what we've had to do
24 with our Vietnamese community, is to invite them into the
25 school to tell them, "Your being here and participating is

1 not disrespectful, we want your input, and we want your
2 involvement."

3 VICE CHAIR CAMACHO: Thank you. That was my last
4 question.

5 MS. NEVILLE: Ms. Spano.

6 PANEL MEMBER SPANO: Thank you. Good afternoon.
7 Along those lines that you just mentioned, how do you
8 propose that the Commission goes about doing that work and
9 trying to get involvement from the community and hear
10 their voices and concerns that may impact your
11 redistricting decisions?

12 MS. ALLCORN: Well, I think that public meetings
13 are going to be important, advertising in local
14 newspapers. I think that a significant group that's going
15 to be very interested in this is our older voters, so
16 getting out to senior centers and community centers, and
17 involving people. I think that the schools are a good
18 place to try and get information out. And the Internet is
19 fantastic. I know that we've got a Facebook page for the
20 Redistricting and a Twitter Account, and so trying to get
21 that information out. And I think, too, your
22 Commissioners - the Commissioners - need to be sort of
23 Ambassadors. My city has a Mayor's breakfast. I think
24 that, if I'm selected, I'm going to see about being a
25 speaker at the Mayor's breakfast and getting that

1 engagement and sharing that information. I think it's
2 going to be very important that the Commissioners are
3 visible at city events, and reaching out and doing those
4 activities so that there's an understanding. People
5 aren't quite sure what this, when I share, "Oh, I'm going
6 to Sacramento." "For what?" Because the Proposition was
7 two years ago, it's sort of died down, and I think that we
8 will need to work hard to get the word out, and the 14 of
9 us will span out across the State and attack! So...

10 PANEL MEMBER SPANO: Knowing that you cannot get
11 all 58 counties, possibly, how do you propose to tackle
12 that?

13 MS. ALLCORN: That we can't get all of them?

14 PANEL MEMBER SPANO: Yes.

15 MS. ALLCORN: Well, I think that, like I said, the
16 Internet, newspapers, and I think that we have to target
17 areas, you know, District 1, I would love to live in
18 District 1, it looks like a beautiful place to live, but
19 probably, you know, spending a whole lot of time up in
20 District 1 may not be the pay-off that the Commission
21 needs to hit as many people as possible. I think we're
22 really going to have to target areas, those really densely
23 populated areas, and having a diverse representation of
24 people on the Commission from North and South, we should
25 be able to do that.

1 PANEL MEMBER SPANO: How would you propose to hear
2 communities of interest in the rural areas, being in
3 Huntington Beach, I'm not sure what the rural communities
4 are, I am not sure if there are any.

5 MS. ALLCORN: We have a strawberry farm, but
6 that's about it.

7 PANEL MEMBER SPANO: How would you go to Butte
8 County or the Modoc and we talked to those communities of
9 interest because I know you said District 1 may not have a
10 lot of issues, as a densely populated, were that their
11 concerns may be valid concerns that may impact how you
12 would draw the lines, how do you propose reaching out to
13 those communities?

14 MS. ALLCORN: Well, I think that they need to look
15 at where are - those large communities come together for
16 business purposes, I mean, there is a County seat, or
17 there is a large community center, or something centrally
18 located where we can get a meeting together, maybe we can
19 do something with a Webcast where we can broadcast at
20 different City Halls, or we have a meeting that is
21 centrally located, but we're able to broadcast the meeting
22 and have some interaction so that the folks way up north
23 don't have to drive 400 miles to get to a meeting, and the
24 Commissioners aren't driving 400 miles to have a meeting.
25 But I know at our temple we did a speaker series, and it

1 was speakers from the New York YMCA, and so we had big
2 screens and people in Irvine were able to ask questions of
3 people in New York, and so I think technology is going to
4 really be our friend, to reach out and to meet people
5 where they are, without having to have them drive to where
6 we are.

7 PANEL MEMBER SPANO: Okay, thank you. Can you
8 tell me what are the best and worst experiences you have
9 had while participating in group decision making?

10 MS. ALLCORN: Okay, the best and the worst. Well,
11 recently, we had - and it was difficult - we had a Board
12 meeting, and we have a group in the community who would
13 like the Board to take some actions, and they've come to
14 our School Board meetings, and we actually had to call the
15 police because there was a lot of shouting and screaming
16 and disruption of the meeting; that was difficult. I
17 think that was my - the worst part of being in a group and
18 having to try and make decisions. Now, our Board was
19 united and we were of one mind that we needed to restore
20 order and listen and have our meeting, but I think that,
21 in terms of being part of a group, that was probably one
22 of my worst experiences. But, in small group settings, my
23 best experience with groups, you know, I - I've been very
24 fortunate in that, you know, I'm involved in a variety of
25 different activities and things, we have a little program

1 that we do at our school, and we do a play, and all the
2 parents participate, and it's great when, as the leader, I
3 say, "I need somebody to do this, this, and this," and
4 everybody takes their assignment and meets the deadlines,
5 and comes back. I think that is the optimal experience.
6 A negative experience - our last soccer team, we, you
7 know, people didn't show up and bring their snack, and I
8 mean, a snack at a soccer game, that's crucial, that is
9 huge, and so we - but, you know, I mean, I think it comes
10 down to when people don't do what is expected of them, I
11 think a good group, when everybody shows up at our Board
12 meetings, if everybody shows up, has read the agenda,
13 prepared for the meeting, on time, things are good. When
14 people show up not prepared, things aren't good. And I
15 also think, too, when we have a bad experience at a group
16 meeting, it tends to be because somebody has a point of
17 view that they want to express, and it doesn't matter what
18 anybody else has to say about it, that's their point of
19 view. And that's, I think, what for the most part
20 happened at that last meeting is this group had a point of
21 view, they didn't want to hear anything but their point of
22 view, and that's when it became a negative experience.

23 PANEL MEMBER SPANO: What do you propose the
24 Commission should do to distinguish between the wishes of
25 the speaker from the wishes of the community?

1 MS. ALLCORN: I think that it's important that
2 people be heard, and I know at our Board meetings, we have
3 a time limit. And so I would hope that, to some extent,
4 for speakers, we have a time limit and we - maybe if
5 somebody has more to say than the four minutes allows, or
6 whatever it is that the Commission sets, that they submit
7 their information in writing and we copy that and make
8 that available to all the Commissioners.

9 PANEL MEMBER SPANO: Thank you. Can you describe
10 for me the most complex decision that you've had to make,
11 either in your role on the Board, or in any capacity as a
12 teacher, or from your life experience?

13 MS. ALLCORN: Hmm, the most complex decision I've
14 had to make.

15 PANEL MEMBER SPANO: Most complex, difficult,
16 challenging decision.

17 MS. ALLCORN: You know, the first thing that came
18 to mind was my decision to leave the classroom when my son
19 was born. I love teaching, I loved my job, I loved the
20 people I worked with, but I had to look at the bigger
21 picture, and look at what the goals were that my husband
22 and I set, and that was for one of us to be home, and it
23 made sense for me to be home for that time. And so that
24 was a painful decision, it was the right decision, but it
25 wasn't easy. I got comments from a lot of my colleagues,

1 "How could you do this? You're going to go crazy." And I
2 had to really stand up for what my core belief was and
3 what that commitment was that my husband and I made when
4 we got married, and it was hard. I mean, I loved that
5 job. We laughed and had fun every day and I loved those
6 kids. But it was - it was what I needed to do, and it was
7 difficult at the time, but in the long run, it definitely
8 paid off.

9 PANEL MEMBER SPANO: That's great. It appears
10 from what you said in your application that for the past
11 10 years, a majority of your time has been devoted to
12 being at home and raising your two children.

13 MS. ALLCORN: Uh huh.

14 PANEL MEMBER SPANO: How would you describe your
15 typical day?

16 MS. ALLCORN: Well, my typical day now, I also
17 substitute teach, so I work probably two or three days a
18 week, and I volunteer on the school campus, I do school
19 board visits, we have committee meetings at the District
20 Office, so I'm involved in that. I also recently began a
21 course at Cal State Fullerton, the Masters Program, and so
22 that will be taking up a lot of my time, too. One of the
23 things that I think that I can bring to the Commission is
24 that I do have time, and that my role as a substitute
25 teacher, I can take a leave and I will have time to be

1 able to read the information, to respond to e-mails, to be
2 available for meetings and go out and do visits, and
3 things like that. So...

4 PANEL MEMBER SPANO: Okay. So you just began your
5 Masters at - you said CS Fullerton. Are you going to put
6 that on hold? Or do you plan to integrate that into your
7 work at the Commission if you are selected?

8 MS. ALLCORN: Well, I am going to attend classes
9 this first semester, and those end December 15th or 16th, so
10 I think that that's fine, and I did speak to the
11 Department Chair and I can take a leave if I find that the
12 work of the Commission and the work of the Masters program
13 are incompatible.

14 PANEL MEMBER SPANO: Okay. And the work of a
15 Commissioner and the Commission, as a whole, may require
16 significant amounts of travel. Would you be able to be
17 available to do travel with your commitment to your family
18 and your existing obligations?

19 MS. ALLCORN: I believe I can. My husband works
20 at home. He travels, but we do have back-up, my mom, who
21 is watching is, I think, anxious to retire, and this might
22 give grandma a good reason to be there and hang out with
23 the kiddos. So, I think I can. And I know, too, that you
24 know, it's not 10 years of travel, it's eight months of
25 travel, and so I think it's something that we can do.

1 PANEL MEMBER SPANO: Okay. What do you expect to
2 be the more challenging duties and responsibilities of the
3 Citizens Redistricting Commission?

4 MS. ALLCORN: I think I'm comfortable listening
5 and taking in information from the public. I think that
6 one of the challenging things is going to be to interpret
7 that data, not being an expert in statistics and
8 demographics, that's an area where I think the Commission
9 - unless there are Commissioners selected who are experts
10 in demographics and data and that sort, I think we're
11 really going to have to rely on our staff to help us
12 navigate through that. But I think that that just -
13 understanding the amount and the complexity of the data,
14 and sorting through that to interpret that, to things that
15 the public can understand, and that we are able to
16 articulate as to why we've made Districts the way that we
17 have when we ultimately present those maps.

18 PANEL MEMBER SPANO: Thank you. You mentioned in
19 your application that the school District is preparing a
20 process of redefining the school boundaries. Can you tell
21 me what actions the Board is taking?

22 MS. ALLCORN: You know, it is just being
23 discussed; the Board has not taken any official actions.
24 We have one school that has 300 kids, we have one school
25 that has 900. And so, as we are looking at those schools,

1 we are having to discuss and begin discussions of looking
2 at boundaries, and it's - I've been told, I haven't lived
3 through it, but redrawing school boundaries is tough, you
4 know, you're breaking up communities of interest, and
5 soccer teams, and softball teams, and it's emotional, and
6 it's difficult. So, we will rely on the advice of our
7 experts on, you know, projections for population growth
8 and traffic studies and all kinds of things. So, we're
9 just - we're tentatively talking about doing it. But we
10 have a feeling it's coming.

11 PANEL MEMBER SPANO: What type of sources or
12 resources are you using at the local school?

13 MS. ALLCORN: What is the name of the company that
14 specializes in educational data in that way? When we sold
15 some of our school properties, there was some concern in
16 the District, in the city, that, you know, what happens
17 when you get all those kids? Where are you going to put
18 them? And so we had those projections that helped us make
19 those decisions about, you know, can we sell out these
20 properties? Are we going to need them in the future? And
21 I can't remember the name of the company, I apologize.

22 PANEL MEMBER SPANO: No, that's okay. I was just
23 curious to see where you are in that process and if the
24 data is similar to what you envision on the Commission.
25 Have they envisioned a process yet to redefine the school

1 boundaries? Do they have anything in mind, planned?

2 MS. ALLCORN: It'll start with information and
3 then I am sure it will go into public meetings and meeting
4 with the City about traffic patterns and just bringing in
5 the different agencies that'll be involved.

6 PANEL MEMBER SPANO: Okay. And what has been your
7 role and responsibilities in this process?

8 MS. ALLCORN: You know, we haven't started that
9 too much, so my role, when we sold the school properties,
10 participating in those meetings, reading that information,
11 talking to the public at our public meetings about -
12 because they didn't believe us that we wouldn't need those
13 schools. We said, "But we have data that, you know, to
14 the best of our knowledge, says that we're okay." And we
15 sometimes could convince them.

16 PANEL MEMBER SPANO: Okay, thank you. Can you
17 tell us how you recognize that the State benefits by
18 having all demographic characteristics from all geographic
19 locations participate in the electoral process?

20 MS. ALLCORN: Would you read that one more time?

21 PANEL MEMBER SPANO: Sure. Tell us how you
22 recognize that the State benefits by having all
23 demographic characteristics from all geographic locations
24 participate in the electoral process.

25 MS. ALLCORN: Well, like I said in one of my

1 answers, I think that, as citizens of this country, our
2 greatest right and responsibility is voting, and if people
3 don't feel like their vote counts, they aren't as
4 motivated to get out there and do that. I think some of
5 the excitement we saw at our last Presidential election
6 was because people felt empowered, that their vote really
7 mattered, and with the disappointment that we hear in the
8 news over our legislators, I think people sometimes feel
9 like their vote doesn't matter, and what difference does
10 it make, you know, they're going to do what they want to
11 do anyway, this feeling that, once they get in, they're
12 there until the end of their term. I mean, it's sort of
13 this hopelessness, and we need everybody's input, we need
14 a well informed participatory system and it's important
15 that all of our groups in every corner of our State are
16 participating; it just makes us a better State.

17 PANEL MEMBER SPANO: Okay, thank you. I think
18 that's it for me right now. Thank you.

19 MS. NEVILLE: Any follow-up questions at this
20 point?

21 CHAIR AHMADI: Not for me.

22 VICE CHAIR CAMACHO: I don't have any.

23 MS. NEVILLE: Just a quick follow-up to Ms.
24 Spano's question. Do you have a view about how groups
25 that have historically been underrepresented in the

1 electoral process are going to benefit from the
2 Commission's work?

3 MS. ALLCORN: Well, I would hope that groups that
4 have been underrepresented through the redrawing of the
5 Districts will be better represented, that we will take
6 into account those communities of interest, and look at,
7 you know, the Armenian community, whether or not it's in
8 two cities or one city, that we take into account that
9 group has common interests and that we consider that when
10 drawing the Districts.

11 MS. NEVILLE: And I realize you haven't had all
12 the benefit of all the wonderful training that you will
13 likely get if you're selected to serve on the Commission,
14 but based on the knowledge that we have today, what do you
15 think is a fair, equitably drawn District boundary? What
16 does that mean to you?

17 MS. ALLCORN: I think that it should respect the
18 political boundaries to as great of an extent it can. I
19 think that it should be equal in population so that we
20 don't have one District that is four million people and
21 one District that's 50,000 people. I think that a fair
22 District is drawn after we've received input and heard
23 from the public about what they feel that District should
24 look like. And I think a fair District is one that is not
25 controlled by the people who are being elected there. I

1 think that there's just something that just doesn't feel
2 quite right about the Legislators drawing their own lines,
3 and I think that we need that oversight committee.
4 Clearly, with Proposition 27 on the ballot in November,
5 they're not happy about this, I mean, that came from
6 Assembly member Bass, and so that speaks volumes to me,
7 that there's something in the process that needs to be
8 looked at, and so I think that this Commission, by
9 gathering data, talking to the public, and re-looking at
10 those Districts, that that will restore that integrity to
11 the process.

12 MS. NEVILLE: I have just a few more questions for
13 you about your work as a School Board member. Can you
14 tell me just a little bit more about Fountain Valley
15 School District and its demographics, I know you talked a
16 little bit about the make-up of the District, could you
17 tell me a little bit more?

18 MS. ALLCORN: We have 6,000 students or so, it
19 goes up and down. We are a K-8, so we don't have a high
20 school. We have 11 schools, three middle schools, and
21 eight elementary schools. We are about 45-50 percent
22 Caucasian, 30 percent Vietnamese, Asian, predominantly
23 Vietnamese, that is our significant group, about 11
24 percent Hispanic, and I haven't been keeping track of the
25 map in my head, so, whatever is left is a mix. We are the

1 highest achieving elementary District in Orange County, so
2 we do it well, and people don't leave Fountain Valley,
3 they move there and want to put their kids in school, so....

4 MS. NEVILLE: What is the percentage, if you know,
5 of students who are eligible for Family Reduced Priced
6 Lunches? Do you have a sense of that?

7 MS. ALLCORN: We have three Title One schools, so
8 we aren't a very socioeconomically challenged community,
9 we are pretty middle-class, so....

10 MS. NEVILLE: You spoke a little bit earlier with
11 Ms. Spano about the organization. Was that - if it
12 occurs, I know it is early - would that just be a
13 redrawing of attending boundaries within the existing
14 boundaries of the District?

15 MS. ALLCORN: Yes.

16 MS. NEVILLE: So it is not a major reorganization
17 within -

18 MS. ALLCORN: No, I wish we could because we would
19 love to capture some of those other Fountain Valley
20 Schools, but that's quite a process. The voters in that
21 District have to approve losing those schools, and so it
22 is something to accomplish.

23 MS. NEVILLE: What is the geographic territory of
24 the District? Does it encompass - you are suggesting that
25 it encompasses part of Fountain Valley, but not all of it?

1 MS. ALLCORN: Yes.

2 MS. NEVILLE: And are there other cities within
3 its territory?

4 MS. ALLCORN: Yeah, we have three schools that are
5 located at Huntington Beach, which is our neighbor city,
6 and then in Fountain Valley, there are, I think, three
7 schools in Fountain Valley that are in two other school
8 Districts. And I don't know why.

9 MS. NEVILLE: I see, okay.

10 MS. ALLCORN: Yeah.

11 MS. NEVILLE: So, one of the things that I just
12 wanted to talk with you a little bit about has to do with
13 some of the conflict of interest provisions that are
14 written into the law, and as you probably know, there were
15 a number of restrictions on individuals who had held state
16 and federal offices in the 10-year period prior to
17 applying. There are also some restrictions that applied
18 to individuals who are selected to serve on the Commission
19 and that prohibited them from serving in certain elective
20 offices for 10 years, some that are selected to serve on
21 the Commission. The rules around that prohibition have
22 not been adopted yet, but under those proposed rules,
23 individuals who serve as School Board members typically
24 would not be able to also serve on the Commission.

25 MS. ALLCORN: I read that in the law, but it

1 hadn't said school board, it said City - and so I was
2 wondering, and I was kind of curious if school board was
3 excluded, how I made it to this point, so I'm glad that
4 you're bringing it up, so...

5 MS. NEVILLE: It isn't something that makes you
6 ineligible to apply, it's a restriction that would apply
7 to you if you were selected to serve, and assuming those
8 rules are adopted, and they have not been adopted yet,
9 they're in their proposed state, but if they were adopted,
10 it would probably mean that you, if you were selected to
11 serve on the Commission, that you would need to step down
12 on your School Board position, and so much as I hate
13 putting you on the spot, I just need to ask you if that is
14 something that you would be willing to do if that is, in
15 fact, the rule that is in play if you are selected. You
16 may need to think about that a little.

17 MS. ALLCORN: I mean, I think - I appreciate you
18 sharing that because I wasn't clear when I read that, and
19 so I think that is something that I would need to
20 definitely discuss with my family and to see. I enjoy
21 being on the School Board, but this is very important
22 work, too, and so it's definitely something that I would
23 need to consider all the points on.

24 MS. NEVILLE: Are you in your second term? Is
25 that what you're in and are they four year terms?

1 MS. ALLCORN: Yes.

2 MS. NEVILLE: You are midway through your second
3 term, which will expire in two years from now?

4 MS. ALLCORN: Yes.

5 MS. NEVILLE: I see, okay. So, yeah, the rules
6 are in their proposed stage -

7 MS. ALLCORN: Okay.

8 MS. NEVILLE: -- we expect that they will be
9 adopted - I am forgetting the date right now, but not very
10 far from now, so that rule would be in effect by the time
11 the first eight Commissioners are chosen.

12 MS. ALLCORN: Okay.

13 MS. NEVILLE: I don't have further questions.
14 Panelists, are there other questions you might have?

15 CHAIR AHMADI: No, I don't.

16 PANEL MEMBER SPANO: No.

17 MS. NEVILLE: You have eight minutes left if -

18 VICE CHAIR CAMACHO: You know me.

19 MS. NEVILLE: Oh, I am sorry.

20 VICE CHAIR CAMACHO: I just have one
21 clarification. When you were saying political boundaries,
22 what exactly - could you explain political boundaries to
23 me?

24 MS. ALLCORN: Cities.

25 VICE CHAIR CAMACHO: Okay.

1 MS. ALLCORN: Yeah.

2 VICE CHAIR CAMACHO: That was the only question I
3 had.

4 MS. NEVILLE: You have eight minutes, or seven and
5 59 seconds.

6 MS. ALLCORN: Well, thank you very much. It's
7 really been something to go through this process and I
8 appreciate the hard work of the Commission. I would just
9 like to add that, you know, now being thrown the "you may
10 have to quit the school board thing," you know, but I
11 think that I bring something to this Commission. One of
12 the groups that I think needs to be represented are
13 families, and people with kids. That's definitely a
14 community of interest. One of our governor - candidates
15 for Governor, you know, one of her three proposals is to
16 fix education, and so education is a hot topic, and I
17 bring knowledge about that, and I bring an understanding
18 of that. And I think that we're going to have access to
19 some of the smartest and the most talented experts in
20 their fields when we come together to decide these
21 boundaries, and I think what we need for this Commission
22 is approachable, smart people who can talk to the public
23 and who can listen and respond in an understandable and -
24 not a simple way, but a clear way, that is not a lot of
25 political speak. And I think that I can bring that. And

1 so I thank you very much for this opportunity.

2 CHAIR AHMADI: Thank you.

3 VICE CHAIR CAMACHO: Thank you.

4 MS. NEVILLE: Thank you for coming to see us. So
5 we will recess until - what time is it? So 2:24.

6 (Off the record at 2:24 p.m.)

7 (Back on the record at 2:44 p.m.)

8 MS. NEVILLE: Good Afternoon, Mr. McAndrews.

9 MR. MCANDREWS: Good afternoon.

10 MS. NEVILLE: We are back on the record. It is
11 2:44. And we are going to start with our five standard
12 questions. And the first one is: What specific skills do
13 you believe a good Commissioner should possess? Of those
14 skills, which do you possess? Which do you not possess,
15 and how would you compensate for that? And is there
16 anything in your life that would prohibit or impair your
17 ability to perform the duties of a Commissioner?

18 MR. MCANDREWS: All right, well, first of all,
19 thank you very much for meeting with me today. In regard
20 to this question, I think that the skills outlined in the
21 text of Prop. 11 and the Supplemental Application Essay
22 questions gave a fairly good overview of my view of what
23 skills are needed to be a good Commissioner. First of
24 all, I would say a Commissioner must have the analytical
25 skills to collect, integrate, analyze, all the information

1 that is going to be presented to them, and then turn that
2 around to form a redistricting plan. Some of the
3 information will be quantitative data such as the Census
4 data. Much of the information is going to be qualitative
5 such as the testimony at public hearings. As I discussed
6 in my essays, I'm very comfortable that I have - that I
7 possess and have successfully used these skills.
8 Throughout my business career, I have frequently had to
9 develop plans, whether they be aircraft designs, marketing
10 strategies, or business plans based on a combination of
11 quantitative and qualitative information. Some of the
12 most applicable examples are where I had to create
13 Marketing Segmentation Plans based on using a combination
14 of qualitative information from focus groups and customer
15 interviews, along with quantitative information from
16 primary and secondary survey results. The second skill
17 that I'd highlight is the ability to arrive at a fair and
18 impartial conclusion; there are skills and techniques that
19 aid in this. A simple analogy is something my parents
20 taught me growing up, that if I was going to share a treat
21 with my sister, one of us gets to break the treat in half,
22 the other gets to choose which piece they want first,
23 that's a system to get both sides interested in a very
24 equitable distribution. In our case, it's a little more
25 complex, but you know, there's very explicit criteria for

1 how the District lines will be drawn. One way to ensure
2 that we have those criteria executed in a fair and partial
3 way is to develop a process for drawing the new Districts
4 before actual data is inputted into the procedure. Public
5 input will be used in the development of the process
6 separately from the public's input on redistricting data,
7 or feedback on the results. So, once a fair and impartial
8 process has been developed, then the redistricting data
9 can be put in, and you can see whether or not it indeed
10 results in a fair and impartial solution. If it doesn't,
11 then you have the opportunity to go back, iterate it, look
12 and see where something in the process wasn't quite right,
13 but you've removed expectations on what the end result
14 should be from the process. Lastly, a Commissioner must
15 have good communication skills, both in terms of being
16 able to work collaboratively with the other Commissioners,
17 and managing the staff, and communicating with the public.
18 Working effectively with the other Commissioners will
19 involve establishing trust that we are all working towards
20 the same objectives and it will require efficient
21 communication in how we should be interpreting the various
22 pieces of information that we'll be receiving. Working
23 well with the Commission staff will come down to having
24 good communication and management skills, communicating
25 with the public will involve receiving their input in the

1 process and, in addition, communicating back how we are
2 working together as a Commission to render these fair and
3 impartial redistricting plans. I believe that my career
4 and experience has given me ample opportunity to develop
5 all those skill sets. The last part of your question asks
6 if there is anything in my life that would prohibit or
7 impair my ability to perform all the duties of a
8 Commissioner. There is not.

9 MS. NEVILLE: Describe a circumstance from your
10 personal experience where you had to work with others to
11 resolve a conflict or a difference of opinion. Please
12 describe the issue and explain your role in addressing and
13 resolving the conflict, and if you are selected to serve
14 on the Citizens Redistricting Commission, tell us how you
15 would resolve conflicts among the Commissioners.

16 MR. McANDREWS: So I'm going to expand upon one of
17 the examples I used in an answer to an essay question. As
18 I mentioned, in a couple of cases, I was selected as
19 foreman of a jury here in California. In one case, I was
20 a foreman in a civil suit. The Plaintiff was suing the
21 Defendant for damages as a result of injuries she
22 sustained in an automobile accident. The case was
23 somewhat unusual in that the negligence and the liability
24 of the Defendant was stipulated to by the Defendant, so
25 the only issue before the jury was what the damage amounts

1 should be. As foreman, it was my responsibility to
2 structure the deliberations so that all the jurors could
3 share their opinions and rationale for the appropriate
4 award with the objective of at least nine of the 12 jurors
5 agreeing on the verdict. As the judge reminded us, we
6 needed to take the time to render a fair verdict, but we
7 were also expected to deliberate efficiently. As a
8 foreman, I structured the deliberation process that I
9 thought would achieve our objective of efficiently
10 rendering that fair and impartial verdict. I started off
11 by giving everyone the opportunity to discuss the
12 evidence. It was during that phase that we found that
13 there were some differences in testimony and evidence, and
14 we talked through exactly what we thought the evidence
15 should be - or, sorry - what the evidence was telling us.
16 It was during that phase I explicitly asked people not to
17 share their view on what the actual award should be as a
18 result of that evidence, but just trying to examine the
19 facts before us. When everyone agreed that we had
20 addressed all the evidence, we then moved to the second
21 phase of discussing the appropriate award. Building on
22 the Judge's guidance, I proposed, and the other jury
23 members agreed, that the award should have three
24 components, first, the actual damages incurred by the
25 Plaintiff's medical bills, second, damages associated with

1 the plaintiff's loss of income while she was unable to
2 work, while she was recovering from her injuries, and
3 third, the compensatory damages for pain and suffering. I
4 asked all the jurors to write down on a piece of paper
5 what they thought the amount of each of these three
6 components should be. All but one of the responses fell
7 within a bracket range because, during the closing
8 arguments, both the Plaintiff and the Defense attorneys
9 had shared their recommendations on what the appropriate
10 amount should be. It turned out that six of the jurors
11 were initially in favor of an award very close to what the
12 Defense had proposed, and six were in favor of and were
13 very close to what the Plaintiff had proposed. All except
14 for one fell within that range, one was actually on the
15 high side of what the Plaintiff had proposed. To start
16 working towards a resolution, I had the jury begin
17 discussing the first of the three components. It turned
18 out that everyone was in agreement on what that should be,
19 the Plaintiff and the Defense had presented very similar
20 information, we had the evidence of the medical bills that
21 was taken care of in a straightforward manner. The second
22 was related to the damages due to loss of work. During
23 the phase where we were just examining the evidence, what
24 we found was there had been some contradictions in the
25 evidence and the testimony on that point. The Defendant

1 had taken two full years off where the Defendant had said
2 that only six months was really required for her to
3 recuperate. When the Defense lawyer pushed the
4 plaintiff's doctor on this point, the doctor kind of
5 demurred and would not be nailed down on saying that she
6 needed more than six months, one of the jurors brought
7 that out as we were talking about the evidence, and that
8 swayed everyone else to agree that six months was the
9 right amount of time for calculating out what the damages
10 due to lost work should be. Agreeing on the amount of the
11 award for pain and suffering was the most difficult
12 because this was the component that was the most
13 subjective, it was based on each of our individual value
14 systems, and that really was the reason that six people
15 were on the high side, six people were on the low side.
16 What I did as the foreman was basically allow everyone to
17 talk through their rationale and, quite frankly, their
18 value systems for why they felt the award should be at a
19 particular level. I set it up, facilitated the discussion
20 so no one single person could monopolize the discussion,
21 everyone was able to proceed in turn, as opposed to having
22 somebody just come back and back and back and back. At
23 certain natural breakpoints in the deliberation, I then
24 asked if anyone had a proposal for what a compromised
25 position would be. We went through that a number of

1 times, I am remembering three or four times, gradually
2 moving to the middle, until we finally got to a point
3 where nine out of the 12 jurors agreed on that amount, so
4 we reached a compromise position. What ended up happening
5 was the other three jurors felt so comfortable with the
6 process, and felt it was fair, that they ended up voting
7 in favor of that amount, so we had a unanimous agreement
8 on the award.

9 If I am fortunate enough to be selected to serve
10 on the Citizens Redistricting Commission, I will draw upon
11 both that type of experience, as well as some conflict
12 resolution theory that I studied in Business School, to
13 work to resolve any conflicts that might arise among the
14 Commissioners. I am a strong proponent of the many
15 techniques that are discussed in a negotiating book called
16 *Getting to Yes: Negotiating Agreement Without Giving In*.
17 Basically, it is a book that philosophies are on how you
18 create win-win outcomes as opposed to trying to negotiate
19 for a win-lose and risk getting a lose-lose dynamic.
20 There are three key - or, sorry - four key elements to
21 their approach. First of all, you want to separate the
22 people from the problem, take the personalities out of it,
23 try to get agreement that everyone is working to solve a
24 joint problem together; second, focus on interests, not
25 positions. Positions can lock you in and make it very

1 difficult to come to an agreement. If you understand the
2 underlying interests, it makes it much easier to come to
3 an agreement; third, invent options for mutual gain,
4 separate the process of inventing from deciding on what
5 the solution should be, so brainstorming; and then,
6 lastly, insist on using objective criteria, try to take as
7 much subjectivity out of the discussion as possible. Even
8 though this is a theory really written for negotiating, I
9 found this worked extremely well in larger group dynamics
10 when you are all trying to work on a contentious
11 challenge.

12 MS. NEVILLE: How will the Commission's work
13 impact the State? Which of these impacts will improve the
14 State the most? And is there any potential for the
15 Commission's work to harm the state? And if so, in what
16 ways?

17 MR. McANDREWS: All right, well, obviously at a
18 high level, the Commission's work is going to impact the
19 State by potentially changing the voter pools that elect
20 each of the State Senators, the Assembly members, and
21 members of the Board of Equalization. The population of
22 the State has grown by approximately seven percent or more
23 over the last decade, so population distribution is likely
24 to have shifted. Furthermore, the text of Prop. 11
25 identifies very specific redistricting criteria, which I

1 took a first glance at, at the existing maps, and they
2 don't necessarily align with that criteria. So, I think
3 it is reasonable to assume that there are going to be a
4 number of Districts that are going to have their lines
5 redrawn. With every change in a boundary, a particular
6 candidate's chances of being elected can be impacted.
7 Multiple incumbents may find themselves running in the
8 same District. It may create new opportunities for new
9 entrants that are in sync with the previously fractured
10 segment of voters. Collectively, these changes could
11 affect the composition of the State Senate, the Assembly,
12 and the Board of Equalization, which in turn would affect
13 State policy and legislation. If the Districts are drawn
14 fairly and appropriately, it will improve the State by
15 making Legislatures more responsive to their constituents.
16 The indirect effect of this will be to increase people's
17 faith in our State elections and government. Some people
18 believe that the previous process of drawing Districts has
19 led to politicians being elected and taking more
20 politically polarized positions than those held by the
21 voters of the state. If that is the case, then this
22 Redistricting should result in more moderate politicians
23 being able to be elected, again presuming those positions
24 reflect the interests of the majority of the constituents.
25 However, I will add that the objective of the Commission

1 should be making sure the boundaries are drawn to reflect
2 natural segments or communities of voters with common
3 interests, but not to explicitly attempt to achieve a
4 particular end state, such as allowing more moderate
5 politicians to be elected. The potential harm of having
6 the Districts being drawn inappropriately is that it could
7 disenfranchise some of the segments of voters, resulting
8 in even more of the cynicism that motivated voters in the
9 past Prop. 11.

10 MS. NEVILLE: Thank you. Describe a situation
11 where you had to work as part of a group to achieve a
12 common goal. Tell us about the goal. Describe your role
13 within the group, and tell us how the group worked or did
14 not work collaboratively to achieve this goal. If you're
15 selected to serve on the Commission, tell us what you
16 would do to foster collaboration among your fellow
17 Commissioners.

18 MR. McANDREWS: Okay. Excuse me, did you give me
19 the five-minute warning?

20 MS. HAMEL: Yes, I did.

21 MR. McANDREWS: All right, thank you. To answer
22 this question, I will quickly go into greater detail of
23 the situation I described in two of my Supplemental
24 Application essays. In those essays, I mentioned that,
25 back in May of 1995, I had just joined Pacific Telesis to

1 run the Strategic Development Group for their unregulated
2 subsidiaries. One of the businesses that that included
3 was the deployment of a new leading edge
4 telecommunications network that would be the first in the
5 nation to provide telephone service, digital and analogue
6 television service, and high speed Internet and data
7 services all over the same network. We called it the
8 Advanced Communication Network, or ACN. It was going to
9 be a \$16 billion investment for Pacific Telesis. In
10 return for that investment, the new network was going to
11 provide better telephone and high speed data services at a
12 significantly lower operating cost than the existing
13 telephone network, while also allowing Pacific Telesis to
14 enter into the television market. One of the reasons I
15 was hired was to take what had been a preliminary business
16 plan and refine it, including coming up with an
17 operational deployment plan, basically determining which
18 cities, counties, neighborhoods the network would go in at
19 what particular time. This work was a very direct
20 interest to our CEO, Phil Quigley because \$16 billion is a
21 very large investment and if it was not spent correctly,
22 and the returns did not pan out, it would affect the
23 company's bottom line for years to come. So, in June of
24 that year, he called me into his office and basically gave
25 me 90 days to present a refined business plan that would

1 ideally increase the revenue estimates of the preliminary
2 plan and, more importantly, decrease the total investment
3 from the \$16 billion and the cash flow required for the
4 project. What I did was immediately return to my office,
5 take a big drink of water, and then pull together a tiger
6 team comprised of all the group heads and the content
7 experts throughout the business that we were involved
8 with. There were eight of us in a core team, about 20 in
9 an extended team. I explained the assignment and the
10 objectives put forward to us by the CEO. With input from
11 all of the members, we laid out a timeline of milestones
12 for how we would refine the business plan within the 90
13 days, so that we could report back to adding in some
14 margins for slippages, we had to do a lot of work. We
15 then took an initial run at discussing how we would
16 synthesize all the data that we would get. We would have
17 operational data from the current network, deployment data
18 for the cost of deploying the new one, projections on what
19 the various revenue components would be; it was really
20 comparing apples and oranges, so we had to come up with a
21 method in order to put all of those on a common framework.
22 What we developed was a modified version of a net present
23 value calculation for those of you that might have a
24 business background. Everyone agreed on that. We then
25 delegated the work. We had to do more research in order

1 to fill in some of the holes in our knowledge. We had to
2 do a lot of analysis. We delegated that out and agreed
3 that we would have periodic meetings, both in small groups
4 and then in the larger groups to review where we were. It
5 was a very iterative process because any time one person
6 made an assumption on their business plan, it affected the
7 business plans of all the other elements, you couldn't
8 just optimize for one element, you had to come up with
9 something that optimized for the whole -

10 MS. HAMEL: One minute.

11 MR. McANDREWS: Thank you. On 30/60/90 day
12 intervals, we reported back to the CEO, he asked us to
13 modify what we did. The end result was we took about a
14 billion and a half out of the investment cost, while
15 increasing the number of homes by, if I remember
16 correctly, by about 20 percent, and all through that, we
17 made sure the demographic, ethnographic, and socioeconomic
18 segmentation exactly matched the State as a whole within
19 each phase of the deployment.

20 MS. NEVILLE: And finally, a considerable amount
21 of the Commission's work will involve meeting with people
22 from all over California who come from very different
23 backgrounds and very different perspectives. If you are
24 selected to serve on the Commission, tell us about the
25 specific skills you possess that will make you effective

1 in interacting with the public.

2 MR. McANDREWS: So, very quickly -

3 MS. HAMEL: Time.

4 MR. McANDREWS: Oh, all right.

5 VICE CHAIR CAMACHO: I would like to hear his
6 answer, so I would not mind giving up some of my time to
7 hear his answer.

8 MS. NEVILLE: A couple of minutes or -

9 VICE CHAIR CAMACHO: Five minutes is fine.

10 MR. McANDREWS: I won't need that much, but thank
11 you very much. So, I think it comes down to two sets of
12 communication skills, first for the interpersonal
13 communication skills for making sure that you're
14 communicating with the public and public testimonies and
15 hearings and the like. I've not only lived, worked, and
16 traveled all through California, I have actually lived,
17 worked, and traveled all across the globe, every Continent
18 but Antarctica, so I've certainly dealt with people with
19 very different backgrounds than my own, and making sure I
20 understand what they're trying to tell me, particularly in
21 the business context, has been extremely important. When
22 I was a Management Consultant, we used to coach our
23 clients, teach and coach them on a concept, a sub-
24 technique called "active listening," and it really is a
25 way to make sure that you're communicating well with

1 people, particularly when you're the one who should be
2 receiving information. The key techniques are, you know,
3 you need to pay attention, both the words and the body
4 language of the other party; you have to be very
5 disciplined on avoiding distractions, not let your mind
6 wander, don't doodle, concentrate, you need to ask
7 clarifying questions and not be afraid to do so. When
8 appropriate, you should summarize or paraphrase what you
9 think you have heard to confirm that, indeed, that was the
10 message being communicated. You need to allow the speaker
11 to finish, and you want to defer judgment if there's a
12 judgment to be made, make sure that they get a chance to
13 complete it. The key message here is that, if I'm
14 fortunate enough to be selected as a Commissioner, I
15 certainly will not hesitate to put into practice those
16 skills and always ask for clarification if I've heard
17 something that I don't think I fully appreciate or
18 understand. The second group of skills are the
19 organizational communication skills, the explicit intent
20 of Prop. 11 is to make sure that the Commission operates
21 with the full participation of the public. The Commission
22 is going to need to follow the Open Meeting processes in
23 compliance of the Bagley-Keene Open Meeting Act, asked to
24 promote outreach programs to solicit public participation,
25 post a database, post the database's software procedures,

1 meeting notes, and other relevant information that we will
2 be using, and what we have been asked to supplement those
3 actions in order to enhance communication with the public.
4 The key to all of this is to over-communicate with the
5 public so that they have the opportunity to provide input
6 into the process and they are kept up to date on where we
7 are in the process, the status, the decisions, and the
8 rationale for our decisions by the Commission. This will
9 require structure, proactive communication strategy. At
10 various times in my career, I've been responsible for
11 public relations strategies and activities. I've designed
12 website, not the back end, but the content that goes on to
13 them, written and edited press releases, have been a
14 company spokesman giving press interviews. So I believe I
15 bring all the skills necessary to help the Commission, and
16 make sure that we have a well-organized and structured
17 communication structure. Thank you.

18 MS. NEVILLE: Mr. Ahmadi, your 20 minutes.

19 CHAIR AHMADI: Yes, thank you very much. Good
20 afternoon, Mr. McAndrews. You have already answered two
21 of the questions that I was planning to ask and related to
22 material in your application. My question was about, you
23 know, your success to bring the jury to a successful
24 ending, and I appreciate the detailed information on that.
25 So I have to go to my difficult questions now.

1 MR. McANDREWS: Oh, no.

2 CHAIR AHMADI: Going back to your response to
3 Question 1, the standard question 1 -

4 MR. McANDREWS: Yes.

5 CHAIR AHMADI: -- you mentioned something very
6 interesting about, you know, to ensure that you had a
7 process that will achieve success, you will have to look
8 at the public input first.

9 MR. McANDREWS: Yes.

10 CHAIR AHMADI: And then you add the Census data to
11 it.

12 MR. McANDREWS: Oh -

13 CHAIR AHMADI: Is it possible that I did not hear
14 you correctly?

15 MR. McANDREWS: I did not necessarily mean in
16 those terms, what I was trying to say is, we are going to
17 be receiving public input on a variety of things and what
18 I think is important is that we receive public input on
19 what the process should be before we necessarily digest
20 what the public input is on the end result. People will
21 undoubtedly testify to saying that, you know, "The
22 District should look like this," that is well and good,
23 but first of all, I'd like to understand the rationale for
24 how they think we should come to that fair and impartial
25 structure.

1 CHAIR AHMADI: Okay, thank you. So, how would you
2 approach, given that you will be selected - assuming that
3 you will be selected as a Commissioner, how would you
4 approach where you start?

5 MR. McANDREWS: So, a couple thoughts. First of
6 all, you know I want to be cautious. I am going to be one
7 of 14 people, and everybody is going to have an opinion,
8 and so I will share what I would propose, but I want to be
9 very flexible in how we proceed if I am fortunate enough
10 to be selected. I am an engineer and by not just
11 training, but kind of the way my mind works, so I've given
12 some thought to how would I structure solving this
13 problem. I think the first thing is I would think about
14 how I would redraw the lines for the Assembly because, if
15 things are done according to the criteria, the two
16 Assembly Districts would be combined into a Senate, and
17 then 10 into the Board of Equalization, so it makes sense
18 to start thinking about the Assembly. If the 2010 Census
19 data shows that the population of California is a little
20 over 36 million, which is something that I read recently,
21 that means each District would be approximately 450,000
22 people, each Assembly District. Part of the criteria is
23 to try to use natural county and city boundaries whenever
24 possible, so I took a quick look and, you know, saw what
25 the population was of the 58 counties in California. Let

1 me see, I actually made a note on this, of the 58
2 counties, 15 are larger than the range of 400-520 or
3 550,000, the larger. About six are right in that range,
4 and the rest are smaller, so I think then what I would
5 propose to the Council members is, kind of going through
6 this process, again, I don't know what counties are which
7 in terms of a way of looking at this, I'm trying to just
8 go through a process, almost like writing a software code.
9 I look at the ones that are smaller and begin to think
10 about what are common communities of interest for
11 logically combining those counties again within the
12 criteria of population density, not having odd-shaped
13 links of counties coming together. You know, I think that
14 they're natural communities of interest in terms of what
15 is the industrial base of the counties, our two adjacent
16 ones have - you know, are they both basically farming
17 counties and would naturally work together, that is where
18 a lot of the input, I think, from the public on what those
19 communities of interest should be would come into play,
20 thinking about how those things should be combined. For
21 the counties that are larger than 450,000, then you'd want
22 to think about within those counties, what are the city
23 boundaries, and what is the population within those, and
24 see if you have some natural segmentation there for
25 breaking it out, and combining, and to the degree that the

1 city boundaries have a population greater than that, you
2 go to the next level of thinking about neighborhoods, or
3 natural points of segmentation within them. So, that's
4 kind of the approach that I would take. Again, I haven't
5 discussed any particular county or whatever, but if you
6 can come up with something that everybody buys into being
7 a logical flow of solving the problem, then you can do
8 your sanity check against it after you've run the process.

9 CHAIR AHMADI: Thank you. You mentioned about
10 communities of interest.

11 MR. McANDREWS: Yes.

12 CHAIR AHMADI: And you also mentioned that you are
13 going to get public input.

14 MR. McANDREWS: Yes.

15 CHAIR AHMADI: To help you identify them. Could
16 you please tell me what are, or what would be some of the
17 challenges in defining communities of interest, and maybe
18 if you can help us with some detail about based on your
19 knowledge in this area, some of the pros and cons to
20 having a perfectly shaped community of interest District?

21 MR. McANDREWS: So, on the challenge side, a lot
22 of the criteria such as county boundaries or city
23 boundaries are very objective, and I think that using them
24 would give most of the public a comfort level that it is
25 an objective criteria that was used; community of interest

1 are a little bit in the eye of the beholder, so I think
2 some people would feel that the defining of community of
3 interest one way would be most relevant, and defining a
4 community of interest another way, other people might
5 argue, would be more relevant. So, I think the challenge
6 is dealing with that subjectivity. If you could share
7 what other points you wanted me to address?

8 CHAIR AHMADI: The question was about, you know,
9 some of the challenges associated with defining or
10 identifying communities of interest -

11 MR. McANDREWS: Sure.

12 CHAIR AHMADI: -- and whatever option you think
13 that there is, what are some of the pros and cons, kind of
14 like a little more detail about, you know, the challenge.

15 MR. McANDREWS: Certainly, well, you know, the
16 people that will testify will undoubtedly have some self
17 interest in - I shouldn't say "undoubtedly," but may have
18 some self interest in defining the community of interest
19 one way vs. another. I think it's incumbent upon the
20 Commission to listen to the rationales for how those
21 communities of interest are defined, determine whether or
22 not that really represents something that the voters
23 within that community share, so that they'll have more
24 effective representation if they are pulled together in
25 terms of electing a candidate. One of the challenges is

1 going to be, you know, all communities are heterogeneous
2 by their nature, so you're never going to be able to
3 identify within a geographic constraint a group of people
4 that are going to agree on some things. So, I think you
5 want to think about communities of interest in terms of,
6 really, what are their interests? Do they share a common
7 interest on the economic base for that community? And
8 that's why I use the example of are they all in farm
9 country where, if, you know, the farm industry is doing
10 well, it helps the overall economy. I think you can apply
11 that elsewhere. I think that family structure, economic
12 situation, those things can reasonably be looked at for
13 communities of interest.

14 CHAIR AHMADI: Do you think communities of
15 interest are based on ethnicity or, you know, grouping of
16 the people more important than other factors?

17 MR. McANDREWS: So, I think that this is something
18 where it is incumbent upon me to, first of all, have an
19 open mind, to hear what the testimony of people making
20 their case would be. I know, coming into it, that it is
21 very important for some people, and it is less important
22 for other people, so I would want to get the detail on
23 that. You know, part of the criteria is making sure that
24 the Commission works within the Voting Rights Act, and I
25 know that the Supreme Court of a few years ago ruled on

1 racial gerrymandering and said, you know, that's not
2 permissible. I'm not aware enough of exactly how much
3 racial consideration is allowed within that ruling. We
4 will have a counsel that is an expert on the Voting Rights
5 Act and one of the first things I would want to do is get
6 their counsel on explaining exactly where it is
7 appropriate to consider that, and where it is not.

8 CHAIR AHMADI: Thanks. If you can please
9 elaborate on a statement that is in your application in
10 response to question 1, the interest statement, you are
11 saying that defining voting Districts probably is core to
12 enabling elections to establish that relationship between
13 voter and representatives.

14 MR. McANDREWS: Uh huh.

15 CHAIR AHMADI: Could you please elaborate on that,
16 what you mean by that?

17 MR. McANDREWS: So, what I was saying is that
18 Democracy works when representatives, first of all, share
19 the basic interests of their constituents, they are not
20 going to work on legislation or policy that is counter to
21 their constituents. So, ideally, if you can get them
22 sharing that interest, that's wonderful, but, as I
23 mentioned before, all communities are heterogeneous, not
24 everyone shares the same interests, so the next level is
25 making sure that they are at least responsive, and that

1 doesn't mean that every action they take is based on
2 polling data. Part of being an effective Legislator is
3 being an effective leader, they are supposed to be more
4 knowledgeable about the specific issues by virtue of
5 that's their job, and necessarily the public, but they
6 need to make their case if they're going to take a
7 position that might initially be against what their
8 constituents would assume that it should be, they need to
9 make the case in order to - of why they have taken the
10 position they have had, and if they are not able to make
11 that case, they should be responsive or risk being voted
12 out of office.

13 CHAIR AHMADI: Thank you very much. How did you
14 balance the Commission's discretion and latitude vs. laws,
15 rules, regulations, and restrictions, when redistricting
16 the lines?

17 MR. McANDREWS: I guess - maybe I didn't look at
18 that as a balancing issue. I think our first obligation
19 is to work within the rules and requirements, and then,
20 after we've worked within those requirements, that's when
21 the discretion comes into play, so I don't necessarily see
22 it as a balance, I see it as a sequential issue.

23 CHAIR AHMADI: Okay, thank you. But, you know,
24 generally speaking, when you're working on the Commission,
25 there may be some times when you have options -

1 MR. McANDREWS: Sure.

2 CHAIR AHMADI: -- in terms of, you know, which way
3 to go, especially when you are taking public input and you
4 have received advice from the consultants, or whenever you
5 have a chance to make a decision in terms of, you know, A
6 or B.

7 MR. McANDREWS: Right.

8 CHAIR AHMADI: Assuming that A or B are both
9 probably legal, how would you balance that decision-making
10 when you have an option? What do you probably use to help
11 you achieve the optimum result?

12 MR. McANDREWS: So, first of all, I think that if
13 we are considering something which I think is a violation
14 of the clear SEC criteria. I won't support it and I'll
15 explain why I think it's a violation. If I'm looking at
16 two options that both fit within those key criteria, now
17 we have a decision of going in Direction A or Direction B,
18 I mean, this is very much a hypothetical, so I want to
19 make sure I'm clear in the thought process. If I think
20 that a more compelling argument has been made for Path A,
21 I'll be an advocate in explaining why I believe that with
22 the other Commissioners. But, at some point, if the other
23 Commissioners, the majority of them, think that Path B is
24 the more reasonable approach, and there is not a conflict
25 with the red letter law of the criteria, I'll respect that

1 and we have a duty to actually redraw the lines. I don't
2 think it makes any sense to be obstinate and say, you
3 know, "Let the perfect be the enemy of the good there." I
4 think we make our case in a timely manner, we have a
5 timeline that we have to work to, and we move on. Did
6 that address your question?

7 CHAIR AHMADI: Yes.

8 MS. HAMEL: Five minutes.

9 CHAIR AHMADI: So you have answered my questions.
10 At this point, I don't have a question.

11 MS. NEVILLE: Ms. Camacho, your 20 minutes.

12 VICE CHAIR CAMACHO: Okay. Hello, Mr. McAndrews.
13 What I wanted to do is just kind of get a little bit of
14 clarification on the information that you provided in some
15 of your questions.

16 MR. McANDREWS: Sure.

17 VICE CHAIR CAMACHO: One of them is, in your work
18 for - is it PacTel?

19 MR. McANDREWS: Yeah, Pacific Telesis, right.

20 VICE CHAIR CAMACHO: Your ACN project, I'm thinking
21 that this is a question related to that. You made a
22 statement where it says, and this is where I want to get
23 clarification, "How would the demographic and
24 psychographic data you obtained for your job help you as a
25 Commissioner?"

1 MR. McANDREWS: Uh huh, okay, so in doing this
2 work, we were looking at basically all of the territory of
3 California, all except for a little bit where GT was the
4 telephone company in part of Los Angeles, and so I needed
5 to be familiar with what the demographic and psychographic
6 profiles were, and they were not counties, they are called
7 "LATAs" in the telephone business, Local Access Telephone
8 Area, I think it is, it's been a long time since I knew
9 that, but I needed to understand whether or not a
10 particular area, say, was predominantly filled with
11 families because families watch more television than
12 singles or couples without children, and so as I was
13 trying to make the business plan work, that was a
14 consideration. I needed to think about, from a
15 psychographic perspective, which parts of the State were
16 early adopters on PC usage, on Internet usage, on other
17 technologies, because part of what we were enabling was
18 Broadband Internet usage. So I had just a lot of
19 information. And I think that understanding the richness
20 of all that information is going to help me be a better
21 Commissioner by appreciating that, you know, there are a
22 wide range of family structures, interests, demographics,
23 socioeconomic structures in it. The point really was that
24 I worked very closely with the State in the past, and have
25 an appreciation for what we are likely to have to use in

1 doing our work.

2 VICE CHAIR CAMACHO: Do you think this information
3 and this knowledge that you had would help you when you go
4 out to the communities of interest, or conduct public
5 meetings? And, if so, how would that information that you
6 obtained help you when you're out there discussing these
7 issues with the public?

8 MR. McANDREWS: I think the key is that it will
9 make me - it will allow me to ask better questions. I'll
10 have some familiarity with it, so when somebody is
11 testifying at a hearing, say, I'll be able to ask a
12 follow-up question based on having this background amount
13 of information.

14 VICE CHAIR CAMACHO: Okay. When you were
15 gathering this information, how did you gather this
16 information, what information, what specific information
17 did you gather?

18 MR. McANDREWS: So, you know, where we started
19 with was what is called Secondary Research, so a lot of
20 firms do surveys, you know, they analyze Census data, they
21 collect data of all means and manner, and they will make
22 it available to companies in order to understand how to
23 profile a customer base in a particular area, and is done
24 down to the Zip Code levels. Beyond that, you always find
25 that there are specific questions that you would like to

1 have answered, that you can't just buy off the shelf, and
2 so you do what is called Primary Research. Traditionally,
3 when you do Primary Research, you start with focus groups,
4 and you bring in people - it can be done a couple
5 different ways, sometimes you intentionally bring in a
6 very diverse group to talk about something, or sometimes
7 you'll have a series of focus groups where each group will
8 be very similar in some attribute, and you're trying to
9 sound them out on their views on a particular issue. You
10 use that focus group information, then, usually to -
11 because it's very qualitative, but you can't make
12 quantitative assumptions on how prevalent a particular
13 view might be, you use that in order to develop your own
14 survey, and then we would hire market research firms like
15 Gallop or Webber, and depending on the nature of what
16 you're trying to learn, you know, they might be the type
17 of people to call you at dinner time to ask you questions
18 on something. If it's more hands-on, which oftentimes
19 what we were doing was, we'd come up with some
20 statistically significant profile, and we'd bring people
21 in and talk to them that way, maybe have them play with,
22 say, a remote control. We were doing some user interface
23 work for televisions and we had to build a new remote
24 control for interactive T.V. because it didn't exist
25 before, and so we used the initial qualitative work to

1 structure a project, to bring people in and get
2 quantitative results of 30 percent of the people liked
3 this, 20 percent used it this way, those types of things.

4 VICE CHAIR CAMACHO: With that information and
5 that knowledge that you obtained, did you have to map this
6 out, so like using a mapping software to determine which
7 areas would use this? And if so, how did you map this
8 out?

9 MR. McANDREWS: So, we definitely used a lot of
10 mapping software. It started off that we had all the
11 LATAs, boy, it's been a long time, I'm thinking there were
12 well over 100, maybe 160 of these LATAs throughout the
13 State, and I literally would get a big box of crayons and
14 run the program and, based on the answer, I'd take either
15 an aquamarine blue crayon and code it this way, and then
16 I'd code another LATA a different way, and I'd use that in
17 order to help me digest exactly what was happening in the
18 State as a whole, on all of these different dimensions,
19 projected television use might be one, so I'd red hot if
20 they think they'd be using a lot of interactive TV or
21 would like TV, a different map I would use based on PC
22 usage, all of those things. Very quickly, you know, that
23 became too time consuming, so one of the first things I
24 did was have one of our technicians that used mapping
25 software modify it, so that I could do it in real time,

1 take the output of our analysis and plug it in, and print-
2 out the color mapping, and then we just needed to adjust
3 the algorithms on the front end as we started to drive
4 towards what made sense from a deployment plan.

5 VICE CHAIR CAMACHO: When you obtained the data,
6 did you set those boundaries, I forgot exactly what you -

7 MR. McANDREWS: For the LATAs?

8 VICE CHAIR CAMACHO: Yeah.

9 MR. McANDREWS: Yeah, the one difference in this
10 particular project with what the Commission will need to
11 do is, I was not redrawing LATA boundaries, those were set
12 by the State PUC, you know, years before what we were
13 doing, and that was the input that we couldn't adjust, so
14 I was not adjusting that. I have worked with other
15 mapping programs where you're looking at sales or
16 marketing Districts, or other things where you actually do
17 modify the boundaries. To be honest, I don't remember the
18 names of that mapping software, but I have worked with
19 that before.

20 VICE CHAIR CAMACHO: Can you give us an example of
21 how you adjusted and why you adjusted those sales
22 boundaries when you were mapping?

23 MR. McANDREWS: Sure. When - maybe the best
24 example is I was working with on the Board of a company,
25 METNET Communications, which was deploying a Metro

1 Ethernet technology, it is a type of low cost technology
2 for serving businesses with data, and they had - the
3 company had a lot of information on which office buildings
4 were prime candidates for purchasing the service, and
5 which office buildings would not be good candidates for
6 it, so the first thing that was done was to look at kind
7 of a map of where the hot spots of a lot of prime users or
8 candidates, and where was it, and then we overlaid that,
9 the existing sales territories, for the sales force and
10 realized they were out of sync, that sometimes you had a
11 territory kind of straddling a hot zone, and it made sense
12 just to give it to one person so that they'd be more
13 efficient in the way they could visit all of those
14 customers, and so you would do those type of adjustments.

15 VICE CHAIR CAMACHO: Okay. Also, in your
16 application, you described an Intel Hispanic venture.
17 Could you reflect on its purpose and its outcomes and how
18 that information, or that knowledge, would benefit the
19 Commission?

20 MR. McANDREWS: Sure. So, one of the many roles I
21 had when I was working at Intel was, for a period of time
22 I was running all of our North American marketing
23 campaigns, and one of the hypotheses that we had based on
24 - well, let me step back - when you are Intel with a very
25 large market segment share, the best way to grow the

1 business is to bring in new users of PCs as opposed to
2 fight with AMD over trying to switch current users, you
3 still want to have the better product than AMD, but you're
4 better off using your marketing resources to try to bring
5 in new users. So, a large percentage of the market
6 research that I would commission from a market research
7 department was helping identify who these new users will
8 be, how they would use a PC, if we reached them, why
9 they're not currently using PC's, those types of issues.
10 So, coming out of that work, we identified the Hispanic
11 communities in the United States as having a lower
12 penetration of PC usage than average, and not necessarily
13 lower on an adjusted basis for kind of their socioeconomic
14 status, but comparable. So, we were going for basically
15 all lower income families and potential users, but we did
16 find also that there were different ways of reaching the
17 Hispanic community in terms of advertising campaign, in
18 terms of - we were doing a lot of what is called
19 "Experiential Marketing" where we set up Kiosks where
20 people could actually use a PC, so one of the things that
21 we learned is, you know, not surprising, a much higher
22 interest in soccer events than the typical American, so we
23 started targeting a lot of experiential kiosks at soccer
24 events. Some of the other things we learned is a lot of
25 potential sales to the Hispanic community would not

1 actually be for their use, but they would purchase the PC
2 and then ship it to relatives in another country. The
3 third thing we learned is Hispanics tend to have larger
4 family sizes than the country, as a whole, and so
5 educational software that is age appropriate is very
6 important to them, everybody in these surveys says they
7 care about educational software, but usually they say
8 that, and then they use it to play games; the Hispanic
9 community actually followed through on that statement much
10 more. So, we used all this information to figure out what
11 type of products. You know, Intel didn't make PCs, but we
12 worked with a lot of companies that did make PCs and we
13 shared what we had, and said, you know, "If you make this
14 type of a PC, we think there's a huge market for you, and
15 we'll help support you reaching them." We developed
16 advertising and marketing campaigns to reach them. I
17 think, again, the applicability here is just, you know, I
18 appreciate that not everybody is the same out there, you
19 know, people live lives differently based on all sorts of
20 factors, and it becomes very interesting to me to try to
21 understand, you know, why and how people live their lives,
22 and so I think there is - you know, I mentioned it in the
23 essay response because it gives me that appreciation that
24 I think any Commissioner should have in order to do this
25 job appropriately.

1 MS. HAMEL: Five minutes.

2 VICE CHAIR CAMACHO: Okay. You also make a
3 statement in your application that you have been involved
4 in community activities. What have them been and how have
5 they helped you as a Commissioner?

6 MR. McANDREWS: Sure. I think I might have
7 mentioned that on a couple different levels. I mean, I've
8 been involved with different volunteer activities, you
9 know, my whole adult life. I've worked for Habitat for
10 Humanity, I coached the Special Olympics, Basketball for
11 the Special Olympics for a period of time when I lived
12 down in Los Angeles. My wife was the President of our
13 Homeowners Association and I did a lot of kind of non-
14 official work with that. We had some issues around the
15 local park and recreations of San Francisco wanting to put
16 in either paid meters or gates so that they could charge
17 for parking on the park adjacent to where we lived, so
18 really, I think the point was, 1) I tried to be involved
19 with the community, I think it's important to contribute
20 to the community. I mentioned I have three young children
21 and one of the reasons I'm interested in being a
22 Commissioner is I want to role model for them that it's
23 important to contribute back, and so those are some of the
24 things I've done. Like my other answers, I think, you
25 know, the more you get out in the world and you engage

1 with people, and you understand their lives, I get an
2 incredible appreciation for what some people have to go
3 through when I was coaching the Special Olympics, and it's
4 an important perspective to have.

5 VICE CHAIR CAMACHO: Thank you. That was my last
6 question.

7 MS. NEVILLE: Ms. Spano.

8 PANEL MEMBER SPANO: Thank you. Going back to
9 some of the Hispanic marketing campaign and your Intel
10 Pacific Telesis operational plan where you were putting
11 out data -

12 MR. McANDREWS: Yes.

13 PANEL MEMBER SPANO: How did you find that certain
14 characteristics, whether it is race, ethnicity, gender,
15 socioeconomic factors, played a role in the decisions that
16 you made and recommending what direction you should take,
17 the impact you believe it may have on the decisions that
18 you make as a Commissioner?

19 MR. McANDREWS: All right, so, you know, first of
20 all, kind of as a marketing person, I put more emphasis on
21 what's called psychographics than demographics.
22 Psychographics are when you understand how groups of
23 people actually think about things, and what their
24 interests are. And, in many ways, Demographics is
25 valuable because it's tough to identify people on their

1 psychographics, nobody walks around with a sign saying,
2 "I'm a dog lover." But if you can figure out a
3 correlation between psychographics and demographics in
4 order to make that leap, that's helpful. I think it also,
5 though, can be a problem because, you know, we're talking
6 about the world of politics here, and I would not for a
7 second say that all people of a particular demographic
8 segment look at political issues the same way, it doesn't
9 work that way. So, you know, as we looked at this
10 information, my first subjective was to kind of understand
11 what people's interests were, then try to understand so
12 that I could reach them if there were any demographic
13 correlation, so that I could approach them appropriately.
14 Sometimes the demographics might have more of a causal
15 effect. You know, the Hispanic community, we needed to
16 advertise in Spanish language newspapers and on Spanish
17 language television because a large percentage of that
18 community prefers to speak Spanish in the home, and it was
19 a more effective way of doing it. That's a very strong
20 linkage. Some of the other linkage is, you know, I think
21 we're there, but we're less causal.

22 PANEL MEMBER SPANO: Okay, thank you. Stripping
23 away the profit motive in these decisions -

24 MR. McANDREWS: Sure.

25 PANEL MEMBER SPANO: -- and looking at selling,

1 maybe from your perspective, fair representation, how
2 would you propose going out to, say, rural communities and
3 reaching out to them to hear their interests in how you
4 would give consideration in the decisions you make as a
5 Commissioner?

6 MR. McANDREWS: Boy, that's an excellent question.
7 I think it's fair to say that there's a general lack of
8 satisfaction, if you will, with the way Districts have
9 been drawn, or else Prop. 11 would not have passed. I
10 think that the message that would need to be put out in
11 terms of the public relations campaign to get people to
12 participate is, you know, "This is what you said, this is
13 what you passed, this is how we're going about addressing
14 your concern; if, indeed, you have a high intensity on
15 that concern, this is your opportunity to be part of the
16 process." And so, that's off the cuff, but at a high
17 level, that's kind of the logic of the communication
18 message that you'd use. Now, you said rural communities,
19 I think that, to do it smartly, you overlay that with
20 whatever knowledge you can have about how do people in
21 rural communities typically get their information, right?
22 Are they watching the local news? Are they reading the
23 local newspaper? Are they - whatever - and you use that
24 for the communication channel so that you communicate, you
25 know, half of the issue is making sure you are using the

1 right channel, so you are actually reaching that audience.

2 PANEL MEMBER SPANO: Thank you.

3 MR. McANDREWS: Sure.

4 PANEL MEMBER SPANO: Can you tell us about the
5 similarities between your experience serving on Intel's
6 Investment Committee or any other Boards and the
7 expectations of your service on the Citizens Redistricting
8 Commission?

9 MR. McANDREWS: Sure. You know, I brought that up
10 because I think there was some relevance in when you're on
11 a Board of a company or an investment group, you're trying
12 to achieve consensus based decisions, at least the
13 structure that I was using as examples, that was the case,
14 and I think that's going to be the case with the
15 Commission, so it was really to reflect that, in those
16 types of bodies you have a structured deliberation
17 process, you know, structured procedures for how you look
18 at issues, and a structured way for reaching a consensus
19 agreement for moving forward. So, I've not spent time
20 working on public Commissions before, I've been in the
21 audience a few times and seen how they operated, but I
22 don't have that background to bring to bear; it seemed to
23 me that what I have done on investment committees and on
24 corporate Boards was somewhat applicable for understanding
25 the group dynamics involved.

1 PANEL MEMBER SPANO: Have you encountered in this
2 experience real contentious arguments and how you resolved
3 those types of conflicts?

4 MR. McANDREWS: Contentious arguments that might
5 come before the Commission?

6 PANEL MEMBER SPANO: Actually, on your Investment
7 Committee, or in the operational plan development?

8 MR. McANDREWS: Oh, sure. Yeah, I mean, I'm
9 trying to think back to a specific example for you, but -

10 PANEL MEMBER SPANO: Because you will hear a lot
11 of diverse groups and maybe you need to make up some
12 numbers, and I thought, well, you may have encountered a
13 lot of interesting discussion and debate.

14 MR. McANDREWS: Sure. People come into, you know,
15 by design, we had people say on the Investment Committee,
16 with different backgrounds, different areas of expertise,
17 we had the Treasurer of Intel on it, we had the head of
18 Intel Capital, who was my boss say -- I was part of it for
19 the investments that would be in my sector, I had a large
20 group of people working for me and I was responsible for
21 all the investments we did in Internet communications and
22 data, communications, you know, everybody would look at -
23 everybody is aligned in their objectives, we wanted to
24 make good investments that we'd make money on, that would
25 further Intel's strategic interests, and we did not want

1 to be making those investments where we'd lose our money,
2 or the company would go out of business, and it wouldn't
3 achieve it, but everybody had a different perspective for
4 how they made those judgments, and there are certainly
5 times when one person said, you know, "Yes, I think this
6 is a sure hit, a sure winner," and somebody else would
7 say, "This is a dog that's going to lose," and you know,
8 depending on the particulars of the deal, sometimes one
9 side would win the day after the discussion, and sometimes
10 we'd say we didn't have enough information and we needed
11 to go back and get some more information in order to make
12 that decision.

13 PANEL MEMBER SPANO: Okay, thank you. Early in
14 your response to, let's see, question 3 about the worst
15 impact on the State, you noticed that when you looked and
16 reviewed the current Districts that you felt that they
17 didn't align with criteria. And I was wondering if you
18 could elaborate a little bit about your review of this.

19 MR. McANDREWS: Sure and, you know, I glanced at
20 the maps, I don't want to give you the impression I spent
21 hours poring over them, but I noticed some of the counties
22 in the North were grouped one way for the Assembly, and
23 grouped another way for the Senate, and one of the
24 criteria is, you know, ideally, we'd like to pick to
25 adjacent Assembly Districts and make it a Senate District,

1 and that would not be the result unless some other
2 criteria kind of overwhelmed it, where you'd say, "Well,
3 as you combine, you know, a community of interest
4 consideration would drive you to make a different
5 decision, one way or the other. So I tried to be careful
6 in my wording that I'm not necessarily saying it would be
7 redrawn, but looking at first blush, I would sure examine
8 it and ask the question of, you know, I don't know if I'd
9 ask the question why it was drawn at that time in the
10 past, but I'd ask the question, "Should we redraw it that
11 way?" Or, ideally, just start with a clean sheet of
12 paper.

13 PANEL MEMBER SPANO: Okay. How would you defend
14 your redistricting work if it were challenged in
15 litigation?

16 MR. McANDREWS: Boy, I hope it wouldn't be, but a
17 lot of people obviously have self interest in what the end
18 result is, so I think it is a reasonable conclusion. I
19 guess the first question in refining a hypothetical is
20 exactly why would it be challenged. You know, if it is
21 being challenged because somebody thinks it's
22 unconstitutional or it violates the Voter Rights Act,
23 you'd defend it differently than if someone challenged it
24 because they felt that it didn't meet one of the other
25 criteria. I think if the Commission is doing the work

1 appropriately, we try to stay as objective as possible,
2 whenever possible, in how we render our decisions, and we
3 try to really be clear on the rationale, particularly when
4 subjective considerations come into place, and that if
5 you're defending it, that's how you're defending it, you
6 explain, "This is what we did, this is why we feel we were
7 consistent with the criteria and the law, and why we
8 believe what we did was appropriate."

9 PANEL MEMBER SPANO: Thank you. Tell me about
10 your passion for good governance in your recognition of
11 making sure that all segments of the State's population
12 are fully represented?

13 MR. McANDREWS: Sure. So, I am a registered
14 Republican, but I have absolutely no, you know, I
15 absolutely will not support a Republican candidate that I
16 think is corrupt, or circumvents the Constitution in order
17 to achieve a means, even if I agree with it. I think
18 we're a nation of laws and we're a nation with checks and
19 balances in our government system, and the most important
20 thing we can do is to make sure that we don't gain the
21 system, that we follow those laws and the Constitution,
22 and everything else. And if I'm talking to a friend about
23 Candidate A, then find that my first comment will be, you
24 know, either, "I think this person is really doing things
25 for the right reason," or, "I think this person is doing

1 things for the wrong reason," before getting into the
2 ideology, and I think that gerrymandering has been an
3 issue in our country in the past. I think that it dilutes
4 and diminishes the appropriate representation of certain
5 segments, and I feel very good about the criteria laid out
6 in Prop. 11 because they make sense to me. I think that
7 they will result in what's appropriate, and so I am
8 passionate about the idea of being able to help execute on
9 that criteria, both to the letter and spirit of what the
10 voters wanted.

11 PANEL MEMBER SPANO: Thank you.

12 MR. McANDREWS: You're welcome.

13 PANEL MEMBER SPANO: Describe to the panel the
14 issues you are aware of regarding public confidence and
15 integrity of the redistricting process.

16 MR. McANDREWS: Well, you know, in the text for
17 Prop. 11, they brought up examples where, you know, a
18 given city such as Long Beach, San Jose, and Fresno were
19 subdivided up, and you know, when I read that, it
20 certainly struck a chord with me of, "Boy, that doesn't
21 smell right," and then the text also talks about
22 incumbents running for reelection after they've drawn
23 their own Districts, have a reelection rate of 99 percent.
24 I'm sure all those politicians are doing a great job, but
25 that kind of stretches credulity on saying that what you

1 have is open competition for representation. So, that's
2 kind of where I think there might be a little cynicism in
3 the process.

4 PANEL MEMBER SPANO: And what factors are within
5 the Commission's control to positively or negatively
6 affect the public's confidence?

7 MS. HAMEL: Five minutes.

8 MR. McANDREWS: So, you know, I think it's how we
9 run the process. It is supposed to be an open process, I
10 think the Commission needs to do everything in their power
11 to make sure it is and is perceived as an open process,
12 that people feel that they can participate in it, and that
13 any decisions are transparent. Transparency in this will
14 be very very important.

15 PANEL MEMBER SPANO: Thank you. Describe the
16 areas of concern affecting the citizens of the Bay Area
17 region where you live, and what you foresee the Commission
18 hearing about in that area.

19 MR. McANDREWS: So, you know, I think a lot of the
20 concerns in the Bay Area are probably similar to concerns
21 that the voters would have all over the state, so I might
22 not answer the question in being specific on their
23 concerns, but in terms of state issues, you know, a lot of
24 my friends, a lot of people in general, I think, are
25 concerned about the state deficit, they're concerned about

1 the debt building up, the state debt building up, and
2 about the unfunded liabilities and obligations that the
3 State has, the State Pension system has been in the news
4 quite a bit recently, and so I think that those are not
5 necessarily unique to the Bay Area, but those are things
6 that they are concerned about politically. You know, I
7 don't draw a bright line connecting those concerns to the
8 redistricting process. I think our job is not to think
9 about how politician A or B would address something, but I
10 think the view that people feel they can elect somebody
11 who will be responsive to those concerns if, indeed, those
12 concerns are what the Commission's job is.

13 PANEL MEMBER SPANO: Okay. What do you believe
14 the more challenging duties and responsibilities of the
15 Commission are?

16 MR. McANDREWS: It's a big state.

17 PANEL MEMBER SPANO: I am sorry?

18 MR. McANDREWS: It is a big state. I think one of
19 the more challenging duties is - and it's not a lot of
20 time that we have to operate, I think one of the more
21 challenging aspects of this is to really make sure that we
22 cover the whole state and that we meet our obligation of
23 getting public input into the process from all the
24 different segments and corners of the state. We're going
25 to need to be organized and efficient in how we act.

1 PANEL MEMBER SPANO: Knowing how you have
2 approached in your career, targeting certain things in the
3 population, how do you apply that to that challenge and
4 try to reach out to as many people as you can throughout
5 the state?

6 MR. McANDREWS: Yeah, I think that as soon as the
7 Commission is brought together, we just need to be very
8 structured on coming up with an operating plan for, you
9 know, this is how much time we have. I am very much in
10 favor of doing face-to-face meetings. I'm hoping that the
11 Commission doesn't try to do a lot of their deliberations
12 and everything telephonically. I think, on a separate
13 issue, one of the ways that you deal with the inevitable
14 conflicts or differences of opinion that will arise is
15 through interpersonal relationships, --

16 MS. HAMEL: One minute.

17 MR. McANDREWS: -- getting to know each other, and
18 you get that when you're sitting in the same room, looking
19 at the body language of whoever is testifying, and seeing
20 the body language of the other Commissioners. So, that
21 was kind of an aside, but I think that we should be very
22 structured on saying, in order to meet with enough
23 segments of California, in order to get a fair
24 understanding of the diverse set of interests and opinions
25 here, this is what we need to do, and we need to kind of

1 tackle it head on.

2 PANEL MEMBER SPANO: Okay, thank you.

3 MR. McANDREWS: You are welcome.

4 PANEL MEMBER SPANO: That is it for me, thank you.

5 MS. NEVILLE: Panelists, are there follow-up
6 questions at this point?

7 CHAIR AHMADI: I don't have any.

8 VICE CHAIR CAMACHO: I will wait until after your
9 questions.

10 MS. NEVILLE: I just have a few follow-ups for
11 you. The first one goes back to something that you said
12 early on when you were answering one of the first
13 questions about conflict resolution. And you talked about
14 the fact that you like the approach that is described in
15 *Getting to Yes*. So, my question to you is that, given
16 that this Commission has to get to yes in a completely
17 open public setting, how will that change the way you
18 work? And how comfortable are you with that?

19 MR. McANDREWS: It's a great question because, you
20 know, I think I talked about jury duty, I think there's a
21 value when Juries can go off alone to hash out their
22 differences without having it in front of everyone, but I
23 read the Bagley-Keene handbook on the Open Meeting, and
24 they make a very good point that, you know, open meetings
25 aren't selected for these type of processes because they

1 are the most efficient, they are selected because it's the
2 most appropriate given that meetings have public buy-in
3 and participation, and to the process. So I think that
4 you just accept it as it is what it is, it's going to be
5 an open process, you know, we're not allowed to have the
6 side meetings outside of the purview of the public, and
7 you respect the fact that anything said is said in front
8 of a larger audience, but you stick with kind of the
9 principles of, you know, we're all working to the same
10 objective, where we're concentrating on interests. If
11 somebody seems to be taking a position, you creatively
12 offer some other solutions that meet that interest, you
13 try to stay with objective criteria, so I think even in
14 the open setting, a lot of the key principles still apply,
15 they just need to be kind of - the interpersonal dynamics
16 are slightly different.

17 MS. NEVILLE: And tied to that notion of really
18 focusing on the interests, and not the position -

19 MR. McANDREWS: Right.

20 MS. NEVILLE: -- what are the key interests that
21 this Commission is trying to further? What are those?

22 MR. McANDREWS: You know, it should be rendering
23 that fair and impartial District maps for the three
24 bodies. You know, I have great confidence in the Panel
25 being able to make sure that anyone that is selected is on

1 board with that objective, and that there hopefully will
2 not be hidden agendas of somebody thinking that it is
3 appropriate to do something beyond what's in the letter
4 and the spirit of the proposition in terms of what we're
5 trying to accomplish. I think if there is, it's going to
6 be fairly obvious pretty quickly if, you know, they're not
7 able to support a position and they take based on being
8 consistent with those criteria.

9 MS. NEVILLE: And as you probably know from
10 reading the Act, that the Commissioners are expressly
11 required to hire legal counsel who is really an expert in
12 the Voting Rights Act.

13 MR. McANDREWS: Yes.

14 MS. NEVILLE: I realize you haven't had the
15 experience of meeting that counsel and hiring the counsel,
16 and having all the wonderful training that they will
17 likely provide you, but if you could, just based on what
18 you know today, tell us a little bit about what you know
19 about the Voting Rights Act, and what its purposes are. I
20 don't mean - you know, just briefly, just what you
21 generally understand it to require.

22 MR. McANDREWS: Sure. You know, the Voting Rights
23 Act was passed in order to make sure that we didn't have
24 any voters disenfranchised from the system, so it was
25 passed to make sure that there weren't things like

1 literacy tests that would preclude potential voters from
2 voting, that you couldn't intimidate potential voters at
3 the ballot booth, it was just to make sure that anyone
4 that wanted to participate - and I think, you know, it
5 obviously had a history and certain parts of the country
6 where Black voters were not necessarily being given free
7 access to being able to vote, and so you know, its larger
8 objective is just to make sure that, in the context of the
9 Districts that we draw, that we're not drawing a District
10 that in some way would disenfranchise a segment of the
11 population.

12 MS. NEVILLE: Out of curiosity, what sort of
13 qualities, aside from expertise in the Voting Rights Act
14 would you look for in that legal advice?

15 MR. McANDREWS: So, expertise and experience in
16 the issues, but you're looking for somebody who you can
17 have a dialogue with, so that you can ask questions of and
18 get a richness of opinion. You know, I dealt with lawyers
19 throughout my business career and the good ones are not
20 the ones that say you can or you can't do something; the
21 good ones are the ones that really go beyond that and
22 explain, "You can't do this, but if you modify what you're
23 thinking of doing, you can do it this way." So, really
24 try to go beyond just a yes or no type answer.

25 MS. NEVILLE: I know you touched on this earlier,

1 but I'm curious to know a little bit more about what
2 specific strategies these Commissioners could take to
3 really make sure that they reach out as broadly as
4 possible to all Californians, and let's assume that they
5 have a pretty limited budget to do that.

6 MR. McANDREWS: Sure. So, there are a lot of
7 things I've been thinking about, but I don't know yet, I
8 haven't come to conclusions, and quite frankly, I think
9 it's most appropriate to discuss them with the other
10 Commissioners, but, you know, one of the first things I
11 would want to think about are, you know, what activities
12 are important for the entire Commission to take on
13 together, it's important for us all to hear something,
14 look at something, do something together. Are there any
15 things, given the constraints of the Open Meeting Act
16 where it's appropriate to delegate particular activities
17 to a subset of the Commission? I don't even know if
18 that's permissible yet, but it's a question. Similarly,
19 what are the things that are appropriate to delegate to
20 the staff in order to move this forward. So, I think
21 there's that one issue, I already shared that I have a
22 preference for face-to-face meetings because I think it
23 really enhances communication, but, by the same token,
24 it's not necessarily most efficient, particularly with a
25 limited travel budget, so I think that needs to be

1 examined very closely in thinking about when is some sort
2 of telecommunication the appropriate way for getting
3 something done.

4 MS. NEVILLE: I have one final question on a
5 completely unrelated note, which is I am just curious to
6 know, given that you've done a lot of travel in your work,
7 what's been the most eye-opening cultural experience that
8 you ever had traveling internationally?

9 MR. McANDREWS: A couple possibilities come to
10 mind. I had the opportunity, I lived in Hong Kong back in
11 '79 to '82, and had the opportunity to go into Mainland
12 China when most Westerners were not able to get Visas and
13 go in and with my family, I graduated from high school
14 there with my family, and we spent three weeks traveling
15 throughout China, and for a variety of reasons, I would
16 say, that was the most eye-opening because it really was
17 seeing all sorts of things that I just hadn't been exposed
18 to before.

19 MS. NEVILLE: And how did it change your view of
20 the world? Or what do you come away from that -

21 MR. McANDREWS: Well, you know, part of what I saw
22 were a lot of the failures of the Communist system that
23 they had there, and they were working very hard to not
24 make that obvious to the Western visitors that they had,
25 but they were quite evident and it made me very proud to

1 be an American and very thankful to be an American. I
2 came away respecting a lot of things about China and the
3 Chinese people, but not wanting to live under that system.

4 MS. NEVILLE: I don't have any further questions.
5 Panelists, anything more?

6 CHAIR AHMADI: I don't have any questions.

7 VICE CHAIR CAMACHO: I have a question and I'll
8 make this real quick.

9 MR. McANDREWS: Sure.

10 VICE CHAIR CAMACHO: Looking at your application,
11 I see that you've been able to retire at a young age -

12 MR. McANDREWS: Yes.

13 VICE CHAIR CAMACHO: -- and you also have earned
14 college degrees from some prestigious colleges. I'm
15 wondering how you would be able to relate and how would
16 individuals be able to relate to you, the average
17 California citizens, how would they be able to relate to
18 you, and how would you be able to relate to them?

19 MR. McANDREWS: Well, hopefully I can be just kind
20 of a normal guy around people and not standoffish or make
21 it difficult for people to relate to me. You know, I
22 engage with people from all walks of life on a daily
23 basis. As I mentioned in one of my answers on the
24 application, we just finished remodeling the house and so
25 a lot of what I have done while I've been retired is kind

1 of managing that process, and I've gotten to know the crew
2 for the General Contractors, the subcontractors, very
3 well. The General Contractors throw annual picnics and
4 get to know not just the workers, but their whole family,
5 and I think it's a tough question to answer, I think you
6 just show an interest in people and try to relate to them
7 as best you can, and the more you talk to them, the more
8 you know.

9 VICE CHAIR CAMACHO: Thank you.

10 MS. NEVILLE: Any other questions? All right, if
11 you wish, you can make a closing statement. You have 45
12 seconds!

13 MR. McANDREWS: Well, I appreciate the opportunity
14 to come in today and answer your questions. I am
15 enthusiastic about the opportunity to potentially be a
16 Commissioner. I know there's a certain element of luck to
17 the process, so I'm keeping my fingers crossed, but thank
18 you again for taking your time and considering me.

19 CHAIR AHMADI: Thank you.

20 PANEL MEMBER SPANO: Thank you.

21 VICE CHAIR CAMACHO: Thank you.

22 MS. NEVILLE: We'll go off record. We will be
23 back at 4:29.

24 (Off the record at 4:14 p.m.)

25 (Back on the record at 4:30 p.m.)

1 MS. NEVILLE: We're back on the record with Mr.
2 McKaskle. Welcome. Are you ready to begin?

3 MR. McKASKLE: Yes.

4 MS. NEVILLE: Very good. We are going to begin
5 with the five standard questions that you were provided
6 with prior to the interview. What specific skills do you
7 believe a good Commissioner should possess? Of those
8 skills, which do you possess? Which do you not possess,
9 and how would you compensate for that? And is there
10 anything in your life that would impair your ability to
11 perform the duties of a Commissioner?

12 MR. McKASKLE: Well, first of all, I think every
13 Commissioner should have the ability to listen closely and
14 the ability to discuss pertinent issues with an open mind.
15 I suspect virtually all of the applicants would say the
16 same, but I think rightly so because the Commission cannot
17 really operate unless that is something that occurs. I
18 also think that, from the very start, every Commissioner
19 should have a pretty good idea of what makes up California
20 and its people, the geography, the demography, and the
21 economy of the State. Decisions are going to be made by
22 the Commission that affect every area of the State, and
23 every one of the citizens, and the hearing process can
24 certainly fill in gaps and certainly provide some
25 education, but it's going to be pretty hard to make

1 informed decisions without a good understanding of what is
2 involved in making up California. I think another thing
3 the Commissioner members should have is sufficient
4 organizational skills so that there's an ability to budget
5 time and to participate in meetings efficiently, and that
6 they ought to be able to focus on critical issues because,
7 after all, the process has to be completed in a timely
8 manner. And I think every Commissioner should have
9 sufficient time available in his or her schedule to attend
10 all discussion meetings, if possible, and most, if not all
11 public hearings. And that may be difficult because there
12 are needs for people to make livings, but I suspect that
13 I'm one of the relatively few retirees in the process, and
14 it's easier for me to devote full time, so I realize that
15 that's something that might be a compromise somewhere
16 along the line. I think, beyond these basic skills, at
17 least some Commissioners should be familiar with the
18 Census data, with mapping programs and computer
19 operations, and the basic outlines of the Voting Rights
20 Act. I think it would be nice if every member of the
21 Commission did, but I think that's probably unrealistic,
22 particularly in that the members should have a variety of
23 backgrounds, ethnic, geographic, and economic, so that all
24 of California is being represented on the Commission.
25 Now, as to whether I measure up to what I've described, I

1 think I do. I think I have the ability to listen and
2 discuss issues with an open mind. I think I at least have
3 the patience to do so, and I think that goes a long way to
4 listening and understanding. As to the other skills I've
5 described, I have a very thorough knowledge of California,
6 I've lived in the State from San Diego, up through
7 Sacramento, and several places in between. I've traveled
8 to almost every area of the State, I've been in every
9 county seat, and my travels aren't merely to places like
10 Yosemite and other scenic sites, but cities and towns. I
11 like to explore cities and towns, and areas, the rich
12 areas of town, the poor areas of town, I find that very
13 interesting. I'm a fan of Jane Jacobs and I've always
14 been interested in how urban areas work. And I've sat
15 through hearings for two earlier redistricting and I've
16 heard a lot of people from all over the State talk about
17 what their concerns were. Now, I'm very familiar with
18 Census data and with mapping programs. Actually, mapping
19 programs have come a long way, and are a lot easier to use
20 than when I did it in 1991. In 1991, we had the latest in
21 Desktops and had a whopping one-half gigabyte memory in
22 the machine, and we had to fit the Tiger file in it, which
23 took us about a month, but I know, I guess you do it for
24 governmental studies, they have a computer that is much
25 much advanced on that. And I'm pretty aware of what the

1 process is like in terms of setting up hearings. I had to
2 make the arrangements for the hearings for two sets of
3 Special Masters, I had to talk to interested parties who
4 were concerned about the process. I had to brief the
5 judges on the pertinent law, and I think I know the basics
6 of the Voting Rights Act, I've written about it, almost
7 100 pages, if anyone is interested, and that is as it was
8 in 1995, there have been some things that have occurred
9 since, and I haven't studied those with great detail, but
10 I followed the general outlines. Now, I have some
11 knowledge of the pitfalls that others might take some time
12 to learn, one of them being the extreme importance of
13 dealing with the four counties that are covered by Section
14 5 of the Voting Rights Act, they have to be dealt with in
15 their appropriate way, and if they're not, it's going to
16 create a lot of problems. And if I end up on the
17 Commission, I am ready to report for duty November 20th.
18 Now, let me make one other point. I'm applying for a
19 position as a member of the Commission, and if I'm chosen,
20 that's strictly the position that I intend to fulfill. I
21 am a lawyer, my status is inactive, although by paying the
22 fee, I could become active again, but I'm not interested
23 in being a lawyer for the Commission. I only want to be
24 one of 14 equal members. I feel very strongly about it,
25 the law says it is a Commission of 14 members, and I would

1 work hard to make sure I don't overstep my role. I might
2 add, I said I read some of the more recent things. I've
3 purposely not gone back and started going through them
4 with a fine tooth comb, I figure I don't want to do that,
5 I want to be there - I guess I know more about the Voting
6 Rights Act than many, but I don't want to be there saying
7 I know everything about it, no. Now, as to anything that
8 might impair my performance, well, I am hard of hearing,
9 and I get a lot of volume out of my hearing aids, but that
10 is not entirely my problem, I don't always get the clarity
11 of sound that I would like, now, it's a bigger problem if
12 I'm in a crowded room with lots of people talking one on
13 one, such as we are here, it is not as much of a problem,
14 and I don't think it's sufficiently debilitating. Other
15 than that, I think I'm in very good health, my doctor says
16 I'm in very good health, so I think I can withstand the
17 rigors of doing the job.

18 MS. NEVILLE: Describe a circumstance from your
19 personal experience where you had to work with others to
20 resolve a conflict or difference of opinion. Please
21 describe the issue and explain your role in addressing and
22 resolving the conflict, and if you are selected to serve
23 on the Citizens Redistricting Commission, tell us how you
24 would resolve conflicts that may arise among the
25 Commissioners.

1 MR. McKASKLE: Yes. Well, as to a specific
2 instance, when I was in private law practice, I had a
3 client who was seeking to divorce her husband. Before the
4 divorce was actually filed, my client was arrested for
5 shoplifting, and the DA filed a criminal complaint against
6 her. My client was a middle class woman, and the items
7 shoplifted weren't particularly valuable, things like
8 shampoo or other cosmetics is the best I can recall. But
9 she had no economic motive to shoplift, and I had a long
10 conversation with her, and it was clear that she was under
11 great psychological pressure as a result of the planned
12 divorce proceedings, and they hadn't been filed yet
13 because her husband didn't know yet. Well, I persuaded
14 her to be interviewed by a psychologist and, armed with
15 her report, I discussed the situation with the DA's
16 office, pointing out this wasn't an economic crime. Now,
17 the DA's, I might add, are generally under a lot of
18 pressure to prosecute shoplifting and when someone is
19 caught, the merchants want the DA to do something about
20 it. So, there is sort of an impulse to go after the
21 person. But, I was able to persuade the DA that the case
22 under all of the circumstances ought to be resolved by a
23 diversion into counseling, rather than a criminal trial,
24 so that was, I think, a satisfactory solution for that.
25 Now, as the conflicts that might arise amongst the

1 Commissioners, I think it's rather difficult to suggest
2 what a specific course of action would be without knowing
3 what kind of conflict had arisen; in general, I'd try to
4 make sure that all of the relevant facts were clear and
5 that everyone understood the nature of the conflict. I'd
6 make every effort I could to make sure there weren't any
7 unstated or hidden assumptions or concerns, that
8 everything was on the table, and if there were tensions
9 resulting from the conflict, I would do whatever I could
10 to diffuse them.

11 MS. NEVILLE: How will the Commission's work
12 impact the State? Which of these impacts will improve the
13 State the most? Is there any potential for the
14 Commission's work to harm the state? And if so, in what
15 ways?

16 MR. MCKASKLE: Well, I can think of at least four
17 advantages. First, the Commission, if the Commission
18 develops a set of Districts which people feel are fair,
19 and it gives them the feeling that they're being able to
20 choose their Representatives, rather than having the
21 Representatives choose them, I think it would increase
22 confidence in the citizens that the Legislature was
23 representing the Electorate's best interests. That's an
24 intangible value, but I think the Electorate, at least
25 judging from the polls, distrusts the Legislature as it is

1 now constituted, and that's probably why Prop. 11 passed.
2 And I hope the plans adopted by the Commission would help
3 alleviate this distrust. Well, that's one advantage. The
4 second one is, even if the plans don't themselves increase
5 confidence in the resulting Legislature, I think the
6 Constitutional principles of Democracy are much better
7 served when the legislative Districts that are not
8 designed for partisan advantage. Democracy is crippled
9 when partisan advantage is part of the electoral scheme,
10 and even if the results of one redistricting don't
11 increase competence, there's at least a mechanism which
12 predicts Democracy in the future; now, that's a pretty
13 important value. A third is that legislative Districts
14 that are designed in accordance with the criteria set
15 forth in Proposition 11, such as compactness, uniting
16 communities of interest, but they'll at least be
17 physically easier into which to campaign, and candidates
18 will have to focus on the predominant common interest in
19 the District. Districts that are non-compact and
20 needlessly include different communities of interest are
21 inherently unfair and, in 1991, when we were involved in
22 the redistricting process, there were many examples that
23 came up, proposals that had passed the Legislature, but
24 had been vetoed by the Governor; one was a Congressional
25 District that started in Carmel, went south through the

1 mountains to the edge of Ventura, came back up into the
2 Central Valley to Bakersfield, and finally came to an end
3 in the Mojave Desert, not exactly a single community of
4 interest. Another was a proposed Assembly District that
5 had the Northern part of Sacramento in Placer County, the
6 Lake Tahoe region, then went down 100 miles on the East
7 side of the mountains, and then came over where there were
8 no roads, and took in Madera County, well, 130 miles
9 between the population centers. I think that serves the
10 Electorate very poorly and I think the criteria that has
11 to be followed by the Commission will alleviate those
12 kinds of Districts. Now, another one that is probably one
13 that some people haven't thought about, but when District
14 lines are based on compactness and with respect to a city
15 and county boundaries, it's much easier for election
16 officials to conduct a fair election. Not as many
17 separate ballots have to be developed, there don't have to
18 be small precincts, polling stations that cater to
19 slightly different ballots, depending on who is to be
20 elected, and it might seem to be a trivial matter, but
21 it's not, it actually has posed a lot of problems
22 throughout the country from time to time, where the
23 election officials have a hard time making sure that the
24 poll is really accurate.

25 MS. HAMEL: Five minutes.

1 MR. McKASKLE: Oh, five, okay. Now, as to
2 disadvantages, I suppose it's possible the Commission
3 could flub the job, and as a result the Electorate might
4 not feel that there was any point in going through the
5 exercise, but even if the Commission does a good job,
6 there might be some areas where they are dissatisfied. By
7 necessity, the resulting Assembly Districts, they're the
8 smallest District, are going to encompass more than
9 400,000 people, almost no population variation is allowed,
10 and to draw an ideal District in one area might make it
11 impossible to do so in an adjacent area. It may mean
12 splitting communities of interest, or combining
13 communities where there are no, or few, common interests.
14 And in rural areas, there may be hundreds of miles between
15 one end of the district and another. So, most Districts
16 are going to be the product of compromise and people may
17 not be happy about that. And another possible
18 disadvantage is the Commission for some reason fails to
19 take into account Section 5, if the Attorney General of
20 the United States doesn't approve of the plan, well, the
21 plan goes out, and probably a Federal Court would end up
22 doing it.

23 MS. NEVILLE: Describe a situation where you had
24 to work as part of a group to achieve a common goal. Tell
25 us about the goal. Describe your role within the group,

1 and tell us how the group worked or did not work
2 collaboratively to achieve this goal. If you're selected
3 to serve on the Citizens Redistricting Commission, tell us
4 what you would do to foster collaboration among your
5 fellow Commissioners.

6 MR. McKASKLE: Well, I've been in enumerable
7 faculty and committee meetings where decisions had to be
8 made in all sorts of areas in the governance of the law
9 school where I was either a faculty member or the Dean,
10 but one specific circumstance was an occasion when I was
11 Dean of the Law School, and there was a serious division
12 over which of two faculty candidates should be hired. We
13 required a super majority to approve a hiring and the
14 faculty was completely evenly divided. After a long
15 discussion recessed, I discussed with each side whether a
16 compromise might be worked out by some rearrangement of
17 the budget involving some other programs, altering
18 teaching loads. One faculty member who taught in the
19 subject areas was willing to switch, some of the other
20 side was willing to give up certain other programs, and so
21 the next day we came back together and, if my recollection
22 is correct, we were able to reach a unanimous decision to
23 hire both, but both sides gave something up in the
24 process. Now, there were some external factors that made
25 it possible to do that, there was a budget that might be

1 altered, but nevertheless, a consensus was reached. Now,
2 as to fostering collaboration, I guess if I'm short of
3 time, I would say many of the things I said in answer to
4 question 2 is what I would consider doing.

5 MS. NEVILLE: Okay, and the final question, a
6 considerable amount of the Commission's work will involve
7 meeting with people from all over California who come from
8 very different backgrounds and very different
9 perspectives. If you are selected to serve on the
10 Commission, tell us about the specific skills you possess
11 that will make you effective in interacting with the
12 public.

13 MS. HAMEL: One minute.

14 MR. MCKASKLE: One minute, okay. Well, I think my
15 experience demonstrates my skill. I've had to interact
16 with people during my entire legal career from quite
17 different backgrounds and perspectives, I've worked with
18 victims and witnesses to crimes, and they come from all
19 walks of life. When I was in private practice, I
20 represented a wide variety of citizens in the community of
21 which I represented, the shoplifting incident, which was
22 one of them. I moved to Los Angeles and was Director of
23 Litigation at the Western Center of Law and Property, and
24 one of our projects was an effort to reform the laws
25 affecting tenants, most of our clients were from South

1 Central Los Angeles, lived in rundown rental units, they
2 were poor, a majority were Black, most of the rest were
3 Latino, I had to work with each one on a one-on-one basis,
4 so I saw not only their specific problems -

5 MS. HAMEL: Time.

6 MR. McKASKLE: -- but to set in motion litigation
7 that might change the landscape of the law.

8 CHAIR AHMADI: Thank you, sir.

9 MS. NEVILLE: Mr. Ahmadi, your 20 minutes.

10 CHAIR AHMADI: Do you have anything else to add to
11 the response to the other question? I can take a few
12 minutes off my time.

13 MR. McKASKLE: Well, I was just going to add,
14 also, even as I was a law professor, I did a lot of
15 counseling of students, they were a more select group,
16 they were all college graduates, but we had an outreach
17 and still have an outreach program to try to bring in
18 minority students and they faced a lot of problems that
19 weren't faced by the majority of the students. It's been
20 a successful program. One of the persons who wrote a
21 letter for me, Justice Maria Rivera, was a product of the
22 program. I should add, however, she didn't need any
23 special counseling, she graduated first in the class,
24 which we were very proud of.

25 CHAIR AHMADI: Thank you, sir. You have an

1 article that's called Of Wasted Votes and No Influence?

2 MR. McKASKLE: Yes.

3 CHAIR AHMADI: Could you please tell us a little
4 more about it and how that, the concepts apply to the
5 Commission's work, should you be selected?

6 MR. McKASKLE: Well, I don't think it does nearly
7 as much as my earlier article. This was a survey of
8 voting systems from what is almost universal in the United
9 States, that is that there are single member districts to
10 represent people, and I discussed the pros and cons of
11 that. I think there are a number of very strong pros.
12 And then I discuss alternative voting systems of various
13 kinds, of proportional representation systems. And again,
14 discussing the pros and cons, and I think there are both
15 ways as to both systems. As to how it would affect the
16 work of the Commission, I think it's pretty peripheral
17 because we have single member Districts, there's no doubt
18 about that, they are set in their size and, as a result,
19 you know, theoretical considerations of about, "My,
20 wouldn't it be better to do it this way, or that way,"
21 aren't going to play any significant role

22 CHAIR AHMADI: How would you balance latitude and
23 flexibility in deciding how to redraw the lines vs. what
24 the laws require, for example?

25 MR. McKASKLE: Well, I think the law has a number

1 of very specific requirements, but at some point, you have
2 to fit the requirements to the diverse areas of
3 California, and at that point, judgments have to be made.
4 If I can give an example, in 1991, the Judges who were the
5 Special Masters, were very concerned about what to do with
6 Monterey County. Monterey County is covered by Section 5.
7 It by itself was almost large enough to be a single
8 Assembly District, but it was covered by the Voting Rights
9 Act, and the County was two-thirds with a fairly heavy
10 Latino population, and a third around Monterey and Carmel
11 that wasn't. And to the degree that there might have been
12 latitude should the county be kept whole, which is, of
13 course, one of the criteria, or because of Section 5,
14 should it be divided between the Latino and the non-Latino
15 parts, and combined with some other areas that had Latino
16 population, the Special Masters opted for that second
17 approach. There are all sorts of ways - do you combine
18 the Northern Sacramento Valley with the mountain counties?
19 You have to do something because of the size of the
20 population up there and the mountain counties tend to be
21 much smaller. There are various ways one could go about
22 it to either protect more of the interests of the mountain
23 counties, or the interests of the flat part of the valley.

24 CHAIR AHMADI: Thank you, sir. You mentioned the
25 Special Masters, and for the public audience, you know, I

1 came across in your application material that you have
2 served as Chief Counsel for the Special Masters in '93 and
3 also in 2001?

4 MR. MCKASKLE: Well, in 1973 and 1991.

5 CHAIR AHMADI: Oh, okay, sorry. I have to get my
6 dates right. I have some shorthand notes here. But if
7 you can please tell us about what were some of the primary
8 legal concentrations and controversial issues for those
9 efforts?

10 MR. MCKASKLE: Yes, well, I will concentrate on
11 1991 because, in 1973, while there was a Voting Rights
12 Act, it was a far different creature than in 1991. The
13 1991 Voting Rights Act is very similar to what we have
14 now. The whole problem came up because the Legislature
15 passed a plan, but the Governor vetoed it, there were not
16 enough votes to overturn the veto, and because a plan had
17 to be adopted, the Supreme Court took jurisdiction,
18 appointed three retired Judges as Special Masters, and
19 said, "Go to it." And I was hired as counsel because I
20 had some experiences in the area, and certainly in 1991, I
21 had a lot of experience because in 1973 it was a much
22 different process than the Commission will be because it
23 was a judicial process. We had public hearings, but not
24 as many as would be desirable. We had to get it done in
25 eight weeks, so there was a lot of pace that was involved.

1 I think the Masters, they had not had prior experience in
2 voting rights, they were Superior Court or Court of
3 Appeals Judges from California, and that issue didn't come
4 up before them. But they were fast learners and I think
5 the most interesting thing was the unanimity; they were
6 afraid to death of Section 5. They said, "If we have to
7 do anything, we want to make sure that the Attorney
8 General doesn't turn our plan down." And that applied to
9 the Voting Rights as a whole, but particularly in terms of
10 Section 5. I'm not sure there was much conflict, it was
11 just a matter of how did we go about doing it. I gave you
12 the example of the Monterey County situation. And they
13 said, "Well, the failsafe method is to divide the county."
14 And, of course, that is what they wanted and that's what
15 we did. And I don't recall that there were any serious
16 consequences in terms of a public reaction to that.

17 CHAIR AHMADI: Thank you, sir. What are some of
18 the ways that you think the task of redistricting for 2011
19 can be done differently than '93 or even '73?

20 MR. MCKASKLE: Well, I think as far as the Voting
21 Rights Act, the issues are going to be quite similar.
22 There may be some minor modifications since that time, but
23 I don't think the major thrust is going to be at all
24 different. I think it's going to be very important to
25 have far more public hearings.

1 CHAIR AHMADI: Why is that?

2 MR. McKASKLE: Huh?

3 CHAIR AHMADI: Why is that?

4 MR. McKASKLE: Well, I think, for example, there

5 should be a public hearing in each county that has a

6 Section 5 - that is covered by Section 5. That would be

7 Kings County, Merced County, Monterey County, we may not

8 need it in - if I am on the Commission - up in Yuba County

9 because, well, the 1991 Report talks about that situation,

10 but as to the other three, which have a large Latino

11 population, I think it is going to be very important, and

12 I think we need to be in other places. Our hearings were

13 Sacramento, San Francisco, L.A., and San Diego, well, a

14 lot of people can't get to those four places. I think

15 they've got to be out in further areas so that people will

16 have a chance to come and express whatever feelings they

17 have. I note that the suggestion is, and I agree with it,

18 that a lot of the meetings will be evening, and a lot of

19 the meetings will be on weekends. I am able to do that,

20 it might be hard for some of the others, but I would

21 certainly be willing to do that to make sure we can go

22 wherever we can go. And I think in areas with large - I

23 think I mentioned Kings and Merced County, I suspect that

24 we should probably have hearings in almost all of the

25 Southern San Joaquin County areas because there is a large

1 Latino population. I don't know the figures now, but
2 there were in 1991, so I imagine it is more now. So, I
3 think that is something we would need to do.

4 CHAIR AHMADI: Thank you, sir. How much time do
5 we have?

6 MS. HAMEL: Eleven minutes.

7 CHAIR AHMADI: Okay, good. Do you think
8 redistricting done by the redistricting Commission will be
9 subject to more legal challenges than how it was done in
10 the past, and why?

11 MR. McKASKLE: I don't - I wouldn't foresee it.
12 There were two different lawsuits filed against the 1991
13 plan, I don't think there were any in 1973, both in
14 Federal Court, they both were unsuccessful, both were
15 based on some claims that the Voting Rights Act had not
16 been followed sufficiently. As to one of the lawsuits,
17 one of the very rare Supreme Court cases that said the
18 plan is good was the summary affirmance of the lower court
19 determination that the Masters had done a good job. So, I
20 think that was very nice, I mean, they didn't have a
21 plenary opinion, but they said that they denied tertiary
22 and summarily affirmed that the plan was good. So, it
23 could happen. But I don't think there's structurally any
24 reason why it would be any different than in 1991.

25 CHAIR AHMADI: Okay, so from a legal perspective,

1 as long as the Commission follows the Voters Rights Act
2 and other statutory requirements, I can understand that.
3 But in terms of, you know, if you can please share with us
4 some of your thoughts about where do you see, as an expert
5 in this area, as the most potentially risky area, and how
6 would the Commission approach and plan for meeting that
7 requirement, or preventing any challenges?

8 MR. MCKASKLE: Well, Section 5, that's the one
9 where the Attorney General might step in. Other than
10 that, I think the Voting Rights Act makes it clear and
11 Thornburg v. Gingles, the main case explaining it, makes
12 it clear that, when there is a sufficiently large compact
13 group of people covered by the Act, that being African-
14 American, Latino, or Asian-American, that a District has
15 to be formed. In our 1991 report, we made that very
16 clear, that that was something we were doing. We talked
17 about it in the report, about, yes, we isolated the Latino
18 areas of L.A., and we constructed the Districts where they
19 were all majority Latino Districts, and things like that.
20 So, I think if the Commission does that, there are not
21 going to be very many problems.

22 CHAIR AHMADI: Thank you, sir. To what extent, if
23 any, have you had interaction with members of the
24 Legislature, legislative staff, and even how the
25 Legislature as low as lobbyists?

1 MR. MCKASKLE: I don't know any members of the
2 Legislature right now. For a number of years until about
3 10 years ago, I was Chair of sort of an ad hoc group
4 within the Institute of Governmental Studies that was to
5 supervise the computer program that was housed there. The
6 reason for that was that it had been developed by the
7 Democrats in the Assembly and, for budget reasons, they
8 didn't want to pay for it anymore, so it was made
9 available to everyone, and the committee was made up of
10 two or three people from the Institute for Governmental
11 Studies, and there were a couple of either legislative
12 aids, and I think there was one Assemblyman who would come
13 to the meetings, but they were all pretty technical. I
14 think that's my closest contact since I knew a State
15 Senator in Ventura when I was in practice there, but that
16 was in 1969.

17 CHAIR AHMADI: Thank you, sir. And what about
18 your interaction with the Governor or his staff? Have you
19 ever had -

20 MR. MCKASKLE: I've had no contact whatsoever. I
21 was on a panel discussing redistricting two or three years
22 ago here in Sacramento, set up by Common Cause, and after
23 our panel, the Governor came in and made a speech, the
24 only time I've ever seen him. I was surprised, I'm taller
25 than he is.

1 CHAIR AHMADI: Thank you, sir. As I'm sure you
2 are aware, there are certain provisions of State law that
3 applies to redistricting, when it comes to imposing limits
4 about redrawing the lines, or where the lines should be
5 drawn, such as nesting for compactness, for example. How
6 would you approach and resolve a potential conflict
7 arising from these compacting requirements?

8 MS. HAMEL: Five minutes.

9 MR. MCKASKLE: Well, first of all, to a degree,
10 there's a hierarchy not only first from the population
11 requirement, which is the highest of all, and the Voting
12 Rights Act, which is second highest, but even within the
13 Proposition 11, there is a hierarchy, and one place where
14 there isn't a hierarchy is county lines, city lines,
15 neighborhoods, and community of interest. So I guess the
16 way I would - and occasionally there can be conflicts. I
17 guess an example from 1991 is one I would offer, the
18 Masters, and it involved Sacramento, the City of
19 Sacramento. At the time, the City of Sacramento's
20 population was almost identical to what an Assembly
21 District required. But as - since you live in Sacramento,
22 you may know, it is somewhat kidney-shaped, and there is
23 an area in the center, or south center of Sacramento,
24 where the line sort of comes in, but that's an area which
25 has on both sides of it, at the time, I don't know about

1 now, but it probably still has, a black community,
2 African-American community, and even though city lines
3 were something that we were to follow, and ideally the
4 city would work, it could constitute a District, the
5 Masters decided, "Well, we don't want to split that
6 community of interest, they are a small group, they are
7 not going to be very influential in any District, but they
8 are going to be less than influential if they are split
9 between the two. So, a little bit of the North part of
10 Sacramento was lopped off. Sacramento still dominated the
11 District, and that was put in. I think that made a great
12 deal of sense. So I guess that would be one example.

13 CHAIR AHMADI: Thank you so much. I have no more
14 questions.

15 MS. NEVILLE: Ms. Camacho.

16 VICE CHAIR CAMACHO: Thank you. Hello, Mr.
17 McKaskle. As you were saying you were on your Special
18 Masters for the 1991 redistricting, and you had eight
19 weeks to complete this task.

20 MR. MCKASKLE: Yes.

21 VICE CHAIR CAMACHO: How were you able to complete
22 the redistricting in 1993 in the eight weeks, compared to
23 the many months that this Commission is going to have?

24 MR. MCKASKLE: Well, first, we had a deadline, we
25 were told, and secondly, it had to be met because there

1 was going to be an election, so there was no question that
2 it had to be done. It was a matter of, well, as I say, I
3 had a lot of experience from the 1973, I'm a map junkie,
4 if you will, I'm very familiar with maps, I seem to dote
5 on looking at statistics, so we pulled out the - we put
6 the Census data in, but even before then, I worked with
7 the Masters to lay out a scheme about how to approach it,
8 and you can't approach it by saying, "All right, we'll put
9 on 80 Districts, taking the Assembly on a map." You have
10 to break it down. And there are a lot of good reasons for
11 breaking it down because, in many parts of California,
12 there are not many lines of communication, and as is
13 reported in the 1991 Report, Northern California was
14 divided between coastal areas, and then the Central Valley
15 and mountains, the Tehachapi more or less served as the
16 Southern boundary, and Southern California. Well, there
17 was a bit of it that was to the West of Los Angeles, then
18 there was Los Angeles County, and then there was the rest
19 of Southern California, and each one was approached
20 separately. On the Coast, for example, there's not much
21 communication between the Coastal areas, and not many
22 roads, and the Central Valley, so it was a matter of,
23 well, we had to add up at the time something like 320 or
24 30,000 people to make up a single Assembly District; well,
25 if we start with Del Norte and add Humboldt, and add

1 Mendocino, well, where are we then? And, well, it turns
2 out we had to go part way into Sonoma, we didn't know
3 exactly where until we finally got the data on, but we had
4 a pretty good picture of what that was going to be like.
5 Similarly, because we could add county data very easily,
6 we could figure out what would happen in Northern
7 California, and Shasta County, Siskiyou, could add up and,
8 well, all right, we know that once we get down to about
9 Sacramento, we can create two Districts. Well, we don't
10 know exactly where the lines are going to be, can we stick
11 two county lines entirely, but we at least could work out
12 a pretty good idea of where the lines ought to go,
13 subject, of course, to being taken care of later.
14 Somewhat similar throughout the rest of the coastal
15 districts, and somewhat similar in Southern San Joaquin
16 County. There, we had a particular problem of having to -
17 we wanted to create, we thought it was possible to create
18 a minority controlled Latino controlled Assembly
19 districts, and Congressional Districts, and we also had
20 some pretty good information from a Census tract basis of
21 where those were located. And, again, we were able to
22 rough out what might be possible subject to fine tuning.
23 Los Angeles was a little bit different. Coming in to Los
24 Angeles was pretty easy, we had San Luis Obispo County and
25 as much of Santa Barbara as necessary, the rest of Santa

1 Barbara and some of Ventura, some of Ventura, I think at
2 the time it had to be divided on both ends, and what was
3 left over was tacked onto the San Fernando Valley, as I
4 recall. And then we worked through, we had data from Los
5 Angeles County planning on the areas of the county that
6 constituted neighborhoods. We first worked on both
7 creating the Latino Districts and then the African-
8 American Districts, and then, after that, we were able to
9 figure out the rest of Los Angeles, etc. etc. So, a lot of
10 it was a lot of work. We had to spend a lot of time, and
11 then, once we got the computer program going, we could
12 fine tune it. I think the Commission is going to have a
13 little more of a problem than we had in Central Los
14 Angeles because there's been, I think, a large growth of
15 Latinos in the area, and a displacement of some of the
16 African-Americans. There was even in 1991, although there
17 in a way it was easier to deal with it because we had a
18 program we obtained from the Assembly of matching Latino
19 names to registration, not how they registered, but where
20 they registered, so we had some idea of how many Latinos
21 were registered in the - we had it down to the Census
22 tract, eventually. And one of the African-American
23 Districts was 35 or 40 percent African-American, 50
24 percent Latino, 4 percent registration, because it was the
25 poorest part, it probably is the one which had most of the

1 undocumented workers and mostly those who had not obtained
2 citizenship for one reason or another. I think that has
3 probably changed somewhat, and I do not know how that
4 dynamic would play out, I haven't seen any figures one way
5 or the other. But we were able to do it, I can tell you
6 that. We made some mistakes, being poor, they picked up
7 one and they changed one small area. If we had time, we
8 would have done it, too. Englewood got - no, Torrance got
9 unnecessarily divided and we patched that up. Afterwards,
10 looking at the map, I said we messed up Madera County, we
11 put a Congressional line one place and an Assembly line a
12 little bit further away, and we probably could have
13 avoided both, but we didn't have time to do everything.

14 VICE CHAIR CAMACHO: With that knowledge, what
15 exactly - what data did you put into your consideration
16 for the 1991 redistricting?

17 MR. McKASKLE: Well, first, we had to put
18 population in, that was absolute. Secondly, we had to put
19 ethnic data and, again, once we had the computer, and
20 indeed we had some of that information before. The
21 Assembly gave us a map of Los Angeles by Census Tract,
22 which had coded both for African-American and for Latino,
23 Census Tracts that were 40 percent, 50 percent, 60
24 percent, 80 percent, 90 percent, and so we had this nice
25 map there, we could draw a line and say, "All right, what

1 can we do?" So, I mean, those are - and, of course, for
2 Voting Rights Act purposes, those are the things that are
3 absolutely necessary. We had - we didn't really use it
4 very much - but we had the information about registration
5 by Latino and also by Asian, somewhat suspect because
6 there are Latinos who get married to non-Latinos and there
7 are non-Latinos who marry Latinos and take a Latino name,
8 Filipino names are often mistaken for Latino, Portuguese
9 with Asians, the name "Lee," I am represented by an
10 African-American Congresswoman named Lee. My consultant,
11 Eugene Lee, who had been head of the Institute of
12 Governmental Studies, was an Anglo, and there are a lot of
13 Lees who are Asian in San Francisco, but it still gave us
14 an approximation as to what was possible. The only place
15 that really had any effect was, well, we weren't as
16 worried about what was happening with African-American
17 Districts because it appeared that they were going to be
18 able to control the Districts, and they thought so, too.
19 They came to the hearings, they said they liked what we
20 had done.

21 VICE CHAIR CAMACHO: So you received public input
22 -

23 MR. McKASKLE: I was going to - one other thing.
24 We tried to look at other things. I remember in '73
25 trying to find out from the Public Utilities Commission

1 what kinds of transportation - you know, where does
2 Greyhound go, etc., to find out in rural areas whether
3 there were some link, one way or the other, also a little
4 bit about newspaper coverage. We didn't get too much
5 useful information from that, we did make an effort.

6 VICE CHAIR CAMACHO: With your public input that
7 you received for the 1991, did you already have a
8 preliminary or draft map that you showed -

9 MR. MCKASKLE: No. We did not. That only came
10 out at the end of the product when we made the report to
11 the Supreme Court. Some people appeared before the
12 Supreme Court to say that, you know, they weren't entirely
13 satisfied, and the Supreme Court ultimately decided that
14 they would go with the plan. But, no, I don't think that
15 was a serious defect. Under the circumstances, I think it
16 was an unavoidable defect, and I think one of the nice
17 things about the Commission is that it does have to do
18 that, it does have to have hearings. I would think it
19 would be very desirable to have thought about what might
20 go on in one area or another and, even before an initial
21 plan is constructed, to ask the community how they might
22 feel. For example, I would think it desirable if, in a
23 meeting in Merced County, presumably in the City of
24 Merced, they would be asked, "Well, what alternatives for
25 satisfying Section 5 do you think exists?" And maybe even

1 say, "Look, there's one way, you could put in part of
2 Fresno, a Latino area of Fresno with Merced, or maybe
3 Merced should be put in with other counties one way or the
4 other." I would hope that that would allow a lot more
5 input, not only as to the preliminary plan, but, of
6 course, as to the final plan.

7 VICE CHAIR CAMACHO: Thank you. As you mentioned
8 earlier, you were Chair of the Database Advisory Committee
9 for the Institute of Governmental Studies.

10 MR. MCKASKLE: Yes, that was the thing I was
11 talking about earlier where I said I did need a couple of
12 staffers and I think one Assemblyman when we'd have our
13 meeting every six months for a while.

14 VICE CHAIR CAMACHO: I know that it's defunct now,
15 but could you describe the origin and history of the
16 computerized Electoral Database development and also how
17 will your knowledge of the database be useful for the
18 Commission?

19 MR. MCKASKLE: Well, as I said before, the
20 Assembly had a very elaborate one at the time, it was
21 based on a mainframe down in California Institute of
22 Technology, and there was a person who was employed who
23 basically put everything in, and they put in enormous
24 things - how people in each block signed petitions for
25 ballot measures, etc. And they didn't want to pay for it

1 anymore, and so, for financial reasons, they said, "Well,
2 we'll go with Republicans, will you agree with us? We'll
3 put this all into the Institute for Governmental Studies
4 and we'll get another line item to pay for it, so we don't
5 have to pay for it out of...," whatever they had to pay for
6 it with, I don't know what that was. And then they said,
7 "Well, we ought to have someone who looks over the
8 shoulder." Bruce Cain was the Director of the Institute,
9 and he, you know, was responsible. There was a young
10 woman who basically sat at the computer and checked on it.
11 We basically looked at what the budget was and whether
12 there were any problems. It was open to anyone. Anyone
13 could go into it and get whatever information they wanted.

14 VICE CHAIR CAMACHO: So, are you familiar with
15 what was stored in that database and if it would be useful
16 where you would understand what was there and what the
17 Commission could be using from that information?

18 MR. McKASKLE: Oh, well, I suppose to a degree. I
19 think all of the partisan material, I think, should be
20 absolutely out of bounds. The only thing that might not
21 be Census data from that report that would be useful would
22 be possibly the comparison of Latino names to registered
23 voters to see what the percentages are, one way or the
24 other. Other than that - and I think, today, to probably
25 put in as a database into a GIS system directly from the

1 Tiger file, or whatever the successor to the Tiger file
2 is, without even going to that.

3 MS. HAMEL: Five minutes.

4 VICE CHAIR CAMACHO: Thank you. You also
5 mentioned to CHAIR AHMADI's questions that you were a part
6 of increasing minorities at the University of San
7 Francisco?

8 MR. McKASKLE: Yes.

9 VICE CHAIR CAMACHO: Would you describe the
10 program you set up to increase the University of San
11 Francisco minority law graduates, and how did it work, and
12 what were the outcomes?

13 MR. McKASKLE: Well, when I became Dean, there was
14 a program which basically was trying to seek out minority
15 students, going into the law school and seeing whether
16 they could swim or they could sink; well, that's not
17 entirely the best way of going about it, and what I put in
18 to operation when I was Dean was to develop counseling and
19 also to try to increase Financial Aid in the process, so
20 that there was mentoring going through law school. That
21 has since evolved, I was Dean for six years in the late
22 '70s and beginning of 1980, and today it has become, I
23 think, even better and includes a summer program for those
24 who are admitted to develop the kinds of skills they need
25 to even start law school. My innovation was basically to

1 build on something that had started and it's had some
2 failures, but I think it's had some marvelous successes.
3 I mentioned Maria Rivera, as one of them. But we have
4 partners in law firms, we have people - Marty Jenkins is
5 also on the Court of Appeals. I think we've done a lot to
6 get more minorities into the practice of law.

7 VICE CHAIR CAMACHO: Thank you. That was my last
8 question.

9 MS. NEVILLE: Ms. Spano?

10 PANEL MEMBER SPANO: Thank you. Good afternoon.
11 Regarding your work as a Dean at USF Law School in the
12 Affirmative Action Programs, how is Affirmative Action
13 similar or different than some of the provisions in the
14 VRA that pertain to the District lines being drawn to
15 provide the opportunity to a particular minority group to
16 elect a representative of their choice?

17 MR. McKASKLE: Well, I don't think, I mean,
18 everyone is entitled to vote, every citizen. Who comes to
19 law school tends to be very selective, extremely selective
20 at Harvard and Yale, quite selective at USF, so that it's
21 a matter of trying to get more people so that the group
22 that is there is inclusive. Whereas, and of course, they
23 also have to succeed, and it is not a matter of saying,
24 "All right, you're in law school, and three years from
25 now, we'll give you a degree, and then you can practice

1 law," they have to learn about the law. Again, voters,
2 they don't even have to learn about anything, they can
3 either go vote, or they don't vote. I hope most vote
4 intelligently, but it's not a requirement. And so, it's
5 not a selective process, so I think in that sense, it's
6 much different. Beyond that, we have the very specific
7 requirements of the Voting Rights Act, the main one which
8 affects all of California is, if there is a minority group
9 of sufficient size and compactness, it ought to have a
10 District designed for it; and there are a lot of if, ands,
11 and buts about that, but I think that's a pretty simple
12 rule. The places where it makes any difference are in Los
13 Angeles, it may now make a little bit of difference in San
14 Diego, possibly in Orange County, but Los Angeles is
15 certainly the biggest place, and the Southern San Joaquin
16 Valley. In 1991, and I don't know whether it's changed
17 today, it probably doesn't even affect the San Jose area
18 in terms of the requirement that there is a majority. It
19 might, I haven't seen any figures one way or the other on
20 that, but it certainly didn't in 1991. That didn't mean
21 that we didn't pay some attention to that, but as a legal
22 requirement, it wasn't something we had to deal with.

23 PANEL MEMBER SPANO: So the majority minority
24 Districts -

25 MR. MCKASKLE: Yeah, if you can create one, there

1 is some dispute about what the word "compactness" means
2 because -

3 PANEL MEMBER SPANO: What were the disputes over
4 the compactness issue?

5 MR. McKASKLE: Well, one that was proposed to us,
6 and later in a subsequent redistricting was, I think it
7 occurred in either the Assembly or the Senate was, should
8 Imperial County be tied in with Southern San Diego by
9 having a little quarter a mile wide that runs for 100
10 miles. That was urged upon the Special Masters, they
11 chose to just say no. I think it didn't create a majority
12 minority District, in any event, but even if it had, it
13 wasn't compact enough. Whatever the line is between
14 compact and not compact is hard to say. Another one where
15 the Masters did think it was compact enough was in the
16 1991 plan, around in Northern Kern County, around Delano,
17 there was a large Latino population and there is also some
18 in Eastern Bakersfield and Arvin, and little towns there,
19 so there's kind of a hook that goes around, and they're
20 all part of the same County. Was that compact enough?
21 The Democratic, I think, Congressional attorney complained
22 about that, "That's not compact," that's because they
23 wanted their plan in, which didn't happen to have that
24 particular thing, but the Masters thought it was.

25 PANEL MEMBER SPANO: I see.

1 MR. McKASKLE: I don't think it has to be a square
2 or anything approaching a square, it could be fairly
3 linear. The west side of the San Joaquin Valley is more
4 Latino than the east side.

5 PANEL MEMBER SPANO: Do you feel this provision in
6 the law of majority-minority Districts is a necessary law?

7 MR. McKASKLE: I'm sorry, the -

8 PANEL MEMBER SPANO: Do you feel that is a
9 necessary law?

10 MR. McKASKLE: Oh, I think it is absolutely a
11 controlling law, I don't think there is any doubt about it
12 whatsoever, that is the holding in Thornburg v. Gingles,
13 and it has never been changed. As I said, I haven't
14 followed the latest cases very closely, but my big
15 recollection of it is that it simply said, "Well, look,
16 you can't make a majority here," so what the Legislature
17 did is, "Okay, period."

18 PANEL MEMBER SPANO: Okay. How would you explain
19 the strong complaints of gerrymandering by the Legislature
20 following the 2000 Census, in spite of the work of the
21 Special Masters in 2001?

22 MR. McKASKLE: Following the 2000?

23 PANEL MEMBER SPANO: Yeah.

24 MR. McKASKLE: No, the Special Masters were in
25 1991.

1 PANEL MEMBER SPANO: Okay, from 1991. Did that
2 question not come across very well?

3 MR. McKASKLE: Well, I think there were some
4 complaints of gerrymandering in 1980, I don't think it had
5 any effect one way or the other. The Masters made a
6 decision at the outset, "We don't care where the lines
7 were, we're going to operate with a blank slate," which I
8 think is the thrust, it's not the actual word, but I think
9 it's the thrust of Proposition 11, such that you can't pay
10 any attention to where Representatives live.

11 PANEL MEMBER SPANO: Okay. What were the
12 challenges faced by Ventura County in redistricting?

13 MR. McKASKLE: In Ventura County?

14 PANEL MEMBER SPANO: Yes.

15 MR. McKASKLE: Well, I actually appeared on behalf
16 of Ventura County in 1965, which was the first time the
17 Supreme Court, the California Supreme Court, took up the
18 issue after Reynolds vs. Sims, and our argument was
19 somewhat different, this was late in the Census. In
20 Ventura at the time was a very fast growing county, that
21 we said that we thought that they shouldn't use 1960 data,
22 but rather 1968 Department of Finance estimate was to what
23 the entitlement of the county was as to representation.
24 And the Supreme Court rejected that, but I think I
25 understand why, especially since they came out with their

1 plan the next day to solve the problem.

2 PANEL MEMBER SPANO: Okay. Is that the main
3 challenge?

4 MR. MCKASKLE: Yeah, other than that, I also,
5 because I was working for the County of Ventura, I was
6 involved in drafting the county Supervisorial Districts,
7 there wasn't any real dispute, there were five Supervisors
8 that were more or less from different areas and they came
9 up pretty quickly, and I put in the language, and that was
10 that.

11 PANEL MEMBER SPANO: Do you recall to what extent
12 race, ethnicity, socioeconomic, or geography
13 characteristics, were all major issues of concern at that
14 time?

15 MR. MCKASKLE: Oh, yeah. Even in 1973. I
16 remember one in the presiding Master who was very emphatic
17 about it. The State Senate, which at the time was evenly
18 divided, had designed a District in South Central Los
19 Angeles, which was fairly heavily Black, and then poached
20 a little bit of Black population to fill out for three or
21 four other State Senators what they wanted, and I think it
22 was then Senator Donnelly came in and he complained,
23 saying, "Well, yeah, they may have done it, but that's not
24 fair." And so the Masters said, "Well, we're going to
25 design it so there will be two Districts." And I was

1 helping draft the report and I put in some language about
2 this and the Special Master, he said, I don't have the
3 report here, I could read it to you, but he said, "No,
4 that's not strong enough, they were," whatever it was, I
5 can't remember the word, "...and we will not do that." We
6 rejected it entirely. And so even in '73, there were
7 concerns, and certainly in 1991, every hearing we had had
8 a very heavy representation from MALDEF, from NAACP, from
9 Asian groups, etc. I mean, they were very concerned about
10 it. And I think the NAACP was quite happy. MALDEF was
11 not too happy with what we did in Southern San Joaquin
12 County, but the Latino group from Kern County, which was
13 involved in both of them, including a former Latino
14 representative, said, "Hey, this is the greatest thing
15 that happened," and shortly thereafter, Cruz Bustamante
16 got elected from one of the Districts and I guess he went
17 on from there.

18 PANEL MEMBER SPANO: Do you recall the differences
19 between those MALDEF and the other interest group, and why
20 they were so driven?

21 MR. McKASKLE: Oh, I don't know that the various
22 interest groups were - no, only the one was - I think
23 MALDEF was concerned that we had made two Latino majority
24 Districts, but without a high Latino registration, and
25 they wanted one, which was clearly Latino. But, the

1 people in Kern County said, "We like the idea that there
2 are both of them.

3 PANEL MEMBER SPANO: Okay.

4 MR. McKASKLE: I don't think it was a major
5 dispute, but it was -

6 PANEL MEMBER SPANO: Two different concerns.

7 MR. McKASKLE: Yeah, it was some division.

8 PANEL MEMBER SPANO: Okay. Thank you. Describe
9 the types of issues related to the BART Redistricting and
10 its impact related to Redistricting in the Bay Area, in
11 general.

12 MR. McKASKLE: Oh, well, there wasn't too much. I
13 was commissioned by BART - a law was passed saying that
14 they had to District, they had been, I don't remember if
15 it was at large, or at large by County, something like
16 that, but they had to make single member Districts, so I
17 was hired and one of the BART members sat down with me and
18 we talked about how it would be done. The language in -
19 the only problem that came up was we proposed a plan, San
20 Francisco wasn't too happy because we had to cross the Bay
21 to get enough people, but the language had been written in
22 very restrictive terms as to what the population variant
23 should be, so I said if it was going to be like that, we
24 would have to draw lines, and, well, the State Senator
25 from Contra Costa County wasn't happy with how Concord, or

1 something, got divided. And he complained, and the
2 response was, "Well, look, we have to meet this population
3 variance." His solution was to go to the Legislature and
4 change the law that we had a loser standard, and we redrew
5 it to take care of what was involved, but it wasn't very
6 controversial.

7 PANEL MEMBER SPANO: Okay. Did anyone else
8 [inaudible] [1:08]?

9 MR. MCKASKLE: No, I think you might imagine that,
10 having done it a couple of times before, being involved in
11 the process, I thought, "Well, I'm retired now, maybe this
12 will be something to do."

13 PANEL MEMBER SPANO: What were the positive and
14 negative experiences from your involvement in
15 redistricting up to this point?

16 MR. MCKASKLE: Oh, I think it was basically quite
17 positive. I developed friendships with both sets of
18 Judges, alas, they've all passed away now, it was a long
19 time ago, and they were retired even at the time. I
20 worked at the Supreme Court for them. I became good
21 friends with a number of people and the staff there, and I
22 sort of kept up that relationship, one of the members of
23 the Supreme Court once worked for me, as a matter of fact,
24 she was my Associate Dean when I was Dean. So, yeah, no,
25 I would say it was very positive.

1 PANEL MEMBER SPANO: Good, that's great. No
2 negative -

3 MR. McKASKLE: Well, no, it was a lot of work. I
4 mean, we took a lot of time. And I think it was about
5 11:00 p.m. on the last day that we filed.

6 PANEL MEMBER SPANO: Really? Wow.

7 MR. McKASKLE: And as I say, there were a couple
8 of things we could have cleaned up. And the occasional
9 problems, once we got the data in, we had a terrible
10 problem in San Diego trying to get the populations equal
11 and, because all the ships at sea are counted, and they're
12 counted, it turned out, in a very small little thing in
13 the mapping program, and it took us a long time to find
14 that, so that we could finally get everything to work, so,
15 you know, there were glitches, and there were some
16 glitches in the program from the Census, they had a little
17 bit of Orange County in Los Angeles. I think it was only
18 five or 10 people, but... We had to somehow work that out.

19 PANEL MEMBER SPANO: What do you think the most
20 difficult tasks are with what the Commission will be faced
21 with?

22 MR. McKASKLE: Well, first, I think getting
23 everyone up to speed is awfully important. And getting an
24 ability to work together, ability to understand the
25 problems. I think - I hope whoever the Commission members

1 are, whether I'm on it or not, that they will realize that
2 they have to subdivide the process somewhat, they can't
3 sort of say, "Well, if we draw this line here," everything
4 has to mesh together. And you can't solve all the
5 problems. In 1973, we had, after the fact, some real
6 complaints from Santa Maria because we had to divide it in
7 half, half way, which later - I said - I had a friend who
8 was a State Senator, and he said, "Well, we paid attention
9 to anyone that is from Santa Maria," he represented half
10 of it, "We pay attention to everyone from Santa Maria
11 because we don't know who their friends are in my
12 District." But, nevertheless, they complained. Well, we
13 had to. We had to treat Monterey County specially because
14 of Section 5, and then we had San Luis Obispo, well, all
15 right, we could only go so much further to get into Santa
16 Barbara County, and that was far as we could go. I mean,
17 there are always going to be that kind of compromise, and
18 that's what I said earlier, there might be people who are
19 unhappy with what the Commission does.

20 PANEL MEMBER SPANO: Sure.

21 MR. McKASKLE: And you can't - you know,
22 communities of interest, Southern San Joaquin, well,
23 farmers have a different issue than farm workers, perhaps,
24 but they all have an interest in water policy, I imagine,
25 so communities of interest are hard to measure in some

1 respects.

2 PANEL MEMBER SPANO: Sure. Did you find that
3 really difficult in your experience?

4 MR. McKASKLE: No, I don't think so. Of course,
5 we were looking mostly at the ethnic considerations and
6 the northern part of the Central Valley, you know, we
7 followed County lines almost entirely. And they make a
8 lot of sense, they're usually - if you look outside of the
9 Metropolitan Areas, the counties, the population is in the
10 county seat, and nearby, and then there's not very much
11 population before you get to the next county, and then
12 it's in the next county seat. Possibly Tulare County is
13 the only one that's not like that. And so counties make a
14 lot of sense. I mean, there's Merced right in the middle
15 of that County, there's Modesto right in the middle of
16 that county. No, I don't think that posed a great deal of
17 problems. Of course, we didn't have a lot of hearings and
18 we certainly didn't have hearings after the plan was
19 presented where we might have gotten more information.

20 PANEL MEMBER SPANO: What role do you see yourself
21 on the Commission?

22 MR. McKASKLE: One of 14. I do not want to be - I
23 mean, yes, I know a lot about the Voting Rights Act, and I
24 know a lot about California, and I hope other members will
25 know a lot - at least a lot about California, and I think

1 they can be brought up to speed fairly well on the basics
2 of the Voting Rights Act. But I said one of the reasons I
3 thought that the process would be useful is because I
4 think it promotes Democracy. The Commission is to promote
5 Democracy. It is not me trying to run roughshod over the
6 Commission, it's the Commission, and I think all 14 ought
7 to have as much input as possible. And, you know, I
8 thought about that a lot and, by golly, that's what I want
9 to do. I mean, the same when I was working with the
10 Special Masters, I knew a lot about the Voting Rights Act,
11 they didn't, they learned a lot, but any time there is any
12 kind of decision, and I would say, "Look, here are some
13 alternatives, what do you want to be done?"

14 MS. HAMEL: One minute.

15 MR. MCKASKLE: And, you know, I sat down with them
16 on the machine and we said, "All right, what should we do
17 here?"

18 PANEL MEMBER SPANO: Thank you, that's all for me.

19 MS. NEVILLE: Are there any follow-up questions
20 right now?

21 MR. AHMADI: I don't have any.

22 VICE CHAIR CAMACHO: Not at this time.

23 MS. NEVILLE: Okay. I'm curious about how you
24 first got involved in Voting Rights law because I know you
25 talked a lot about your '73 activities, but what first

1 drew your interest?

2 MR. McKASKLE: Well, I've always been interested
3 in the problem of gerrymandering and I even wrote a paper
4 in college about it, which I thought that there were all
5 sorts of horrible things in terms of underrepresented
6 Districts. A book that I have been reading recently
7 talked about the Prohibition and its enactment, and it
8 turns out the year it was enacted by vote of the various
9 States, the State of Missouri had some kind of initiative
10 which approved alcohol the same time the Legislature,
11 which was very gerrymandered toward rural Districts,
12 passed whichever amendment it was - 18th or 19th Amendment.
13 The people said one way, but the Legislature didn't
14 represent the people. I have always thought that was
15 terrible. And I thought about them and, you know, I
16 thought about it ever since, and when the Supreme Court
17 announced that they were going to have Special Masters, I
18 was a young professor, it was coming up during the summer,
19 and I had some time, I thought, and so I wrote a letter to
20 the Supreme Court saying I would like to be considered as
21 a Special Master, and a few weeks later, they announced
22 three retired Judges, which made imminent sense, but then
23 I got a call from the Office of -- the Judicial Counsel
24 Office, saying would I like to apply to be the Director.
25 They called me in the afternoon, and I didn't have

1 classes, I didn't even have a tie on, and they said, "Come
2 down this afternoon," so they interviewed me and they
3 hired me.

4 MS. NEVILLE: I wanted to clarify something that
5 Ms. Camacho asked you earlier about the Special Masters in
6 1991. I'm not sure if I understood correctly. After the
7 Legislature had drawn up the maps and submitted them to
8 the Governor and he had vetoed the plan, when the Special
9 Masters began their work, did I understand you correctly
10 to say that they pretty much started again from a blank
11 slate?

12 MR. McKASKLE: Absolutely. They were told, and
13 they ultimately decided not to, that they could consider
14 any plan submitted. If I remember correctly, there were
15 23 different plans submitted by the Legislature, by the
16 minority in the Legislature, by the Congressional
17 delegation. The Governor had a commission of his own to
18 draw up a plan, that was submitted, the Governor wasn't
19 happy with their plan, and so he submitted modifications
20 and the Masters had to face, "Well, do we want to adopt
21 one of those?" The report talks about it in some length,
22 I might add. And they decided, no, "We want to start from
23 scratch and we don't want to use..." in '73, we had a
24 consultant who, at the end, looked at political data and
25 said it turned out that the majority of the Districts had

1 voted for Republican in one statewide race, and the
2 majority for a Democrat in another statewide race, and he
3 decided that seemed to be fair, and in '91, we decided -
4 Gene Lee made a particular point, he said, "I don't think
5 we should ever get anywhere near that," and the Masters
6 agreed. So we had Census data.

7 MS. NEVILLE: You have mentioned twice that if
8 you're selected to serve on the Commission, it would be as
9 a member of the Commission, not as counsel to the
10 Commission.

11 MR. MCKASKLE: Absolutely.

12 MS. NEVILLE: And related to that, I have some
13 questions. The first is, given that you would be the
14 client, what would you look for in your counsel?

15 MR. MCKASKLE: Well, there are probably a fairly
16 small number of people in the state, attorneys in the
17 state, who have a great deal of experience. I don't know
18 whether there's anyone in the Attorney General's Office
19 who might be in a position and might be someone who might
20 be fairly nonpartisan, and I think some of the
21 practitioners in the field tend to be aligned with one
22 party, as opposed to another. There may be some
23 practitioners in the field who are neither, but generally
24 you need clients, and clients tend to have political
25 interests. You know, I have a student who is a partner in

1 one of the firms; I think on both sides there are people
2 who probably people who are quite even-handed. Well, I
3 guess I would first wonder if there might be someone in
4 the Attorney General's Office that might be in a position
5 to do that. We had the advantage in 1991 of using a
6 retired member of the Supreme Court, research attorney
7 staff, who came to us on a part-time basis, and he was
8 very good, actually. He had not any prior knowledge
9 before, but he was a very experienced attorney, and he
10 researched the law and came up with what new things we
11 needed to know. I don't know whether there might be - I
12 don't know that it has to be someone who is well
13 experienced in the field, that probably is desirable, but
14 I don't know that it's an absolute requirement.

15 MS. NEVILLE: How would you handle it if the
16 Commission hires legal counsel and that counsel is giving
17 you some advice on a matter related to the Voting Rights
18 Act, and you -

19 MR. MCKASKLE: Yeah, and I disagree!

20 MS. NEVILLE: -- and you just say, "That's wrong,
21 and you are hired to know that's wrong." How are you
22 going to handle that?

23 MR. MCKASKLE: Well, I'd have to face it, I
24 suppose, at the time. I guess at some point, well, I
25 suppose it depends on what the nature of the counsel is,

1 it might be possible to get a second opinion. Obviously,
2 what I don't want to do is say, "Look, I'm a lawyer,"
3 because I'm not - technically - I'm only an inactive
4 lawyer, I can't advice anyone. I suppose what I would do
5 is simply say, "All right, now here at the things I think
6 might lead to another conclusion," and I guess I would
7 have to leave it to the rest of the members accepting
8 counsel's position. I'm not sure there are very many
9 areas like that. I think some of the areas where there
10 might be some concerns one way or the other are things
11 like Section 5, "What should we do?" And I don't think
12 counsel can say one way or, "We should do this," or, "We
13 should do that." It's sort of an estimate, "What do we
14 think the Attorney General will do?" I might add, in
15 1991, I wrote the Attorney General asking him if they had
16 any guidance, and never got an answer, although the same
17 year they were actively involved in advising on a
18 reapportionment in Georgia where they were apparently more
19 interested.

20 MR. NEVILLE: As I heard you describing the kind
21 of attorney-client relationship that you had with the
22 Special Masters, it sounds as though it was that kind of a
23 relationship that I think a lot of us long for as lawyers,
24 where we're not just describing the law, or having our
25 client come to us and for us to say, "Yes, that's lawful

1 or unlawful, but you were really working with them hands-
2 on and --

3 MR. McKASKLE: My title was Chief Counsel, but I
4 was also bottle washer. You know, I basically, I had a
5 person who was working on sitting at the computer, he was
6 actually someone who was on the Supreme Court staff, but
7 he was detached to us full-time, and that, as I say, the
8 first month he did nothing but that. And we, you know, I
9 had a staff, I had my consultant, Gene Lee, from the
10 Institute for Governmental Studies, and I had a gofer, a
11 young woman who had just graduated from college and was
12 sort of waiting to go to law school, which she did and
13 graduated Magna Cum Laude from Harvard, she was a very
14 good gofer, and we had two secretaries, and one of the
15 secretaries had been a Supreme Court Secretary who had
16 retired, but she knew all about budgeting and getting
17 requisitions and things like that. The other one actually
18 wasn't employed very much, except from time to time when
19 we had to get some things out. It wasn't a very large
20 staff.

21 MS. NEVILLE: Just a final question, just you
22 talked a little bit about the legal challenges that were
23 brought regarding the '91 Special Masters. And if I
24 understood you correctly, at least one of them was
25 dismissed on motion for summary judgment? Is that what I

1 heard you to say?

2 MR. McKASKLE: No, one of them was a plenary
3 judgment from a three-Judge court in San Francisco, and
4 the other was an action actually brought in Sacramento
5 where the three-Judge court ruled that the plan met
6 Constitutional standards, rejecting the attack, and a cert
7 was sought from that. I don't know how much of a trial
8 there was for that, it may have been summary judgment, but
9 I don't know. And after cert was sought, the Supreme
10 Court denied it as to part, and summarily affirmed as to
11 that the plan was a valid exercise under the Voting Rights
12 Act.

13 MS. NEVILLE: And were you actually providing the
14 representation in defense of the plan, as well? Or was
15 that other counsel at that point?

16 MR. McKASKLE: No, no, that was done entirely by
17 someone else. I think the Attorney General may have
18 defended, I'm not sure. And that was in Sacramento. I
19 actually didn't hear about it until it was almost decided.

20 MS. NEVILLE: Okay, well, thank you. Panelists,
21 are there further questions?

22 MR. AHMADI: I don't have any other questions.

23 VICE CHAIR CAMACHO: No, I don't have any
24 questions.

25 MR. McKASKLE: Well, thank you very much.

1 MS. NEVILLE: You have four minutes and five
2 seconds if you would like to make a closing statement.

3 MR. McKASKLE: Well, I don't really have - I don't
4 think I have anything to add to what I've talked about. I
5 think it's an important process. I think what you have
6 all done, as I understand it, you have very long work days
7 for quite a long time, and you've had to do some homework
8 before, and I appreciate all the effort that you've put
9 into it. I hope it ends up with a good product. I think
10 there's - personally, I think there is little doubt that
11 it will. And so I want to thank you. And I hope it will
12 be a successful Commission, whether I'm there or not.
13 Thank you.

14 PANEL MEMBER SPANO: Thank you.

15 CHAIR AHMADI: So we are going to recess until
16 tomorrow morning?

17 MS. NEVILLE: Yes, we are going to recess until
18 tomorrow morning at 9:15. Thank you.

19 CHAIR AHMADI: Thank you very much.

20 (Recess at 5:58 p.m.)

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